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Supreme Court, U.S.
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NO.

IN THE
SUPREME COURT OF THE UNITED STATES

AUDRIANNE NORWOOD,

Petitioner

v.

WESTERN FEDERAL CREDIT UNION;
FIRST INDEPENDENT TRUST DEED SERVICE,

Respondents

PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEAL OF
THE STATE OF CALIFORNIA SECOND APPELLATE
DISTRICT DIVISIONS 5 AND 7

PETITION FOR WRIT OF CERTIORARI

AUDRIANNE NORWOOD,
In Propria Persona
P. O. Box 996
Beverly Hills, CA 90213-0996
323-549-0730

89pp

QUESTIONS PRESENTED FOR REVIEW

Whether the lower court erred, abused its discretion, exceeded its jurisdiction and duty by granting an untimely demurrer and practicing law?

Does C.C.P. § 904.1 (8) mean you can file an appeal on sustaining a demurrer in an action to redeem real or personal property from a mortgage thereof, or a lien thereon, determining the right to redeem and directing an accounting?

What constitutes violations of procedural and substantive due process?

Does this Magnificent Court review state law decisions that depart from federal court decisions rendered upon the same subject matter?

Whether Judge Buckner ever had jurisdiction over BC106025 c/w BC 143489, or SC049544?

What constitutes disqualifying the lower court judge?

Whether Judge Buckner erred, abused his discretion, exceeded his jurisdiction, when he practiced law and ordered Hernandez to file an unwarranted mental competency test that was procured through his and Hernandez' wilful perjury, and the salient fact the emotional distress claim had been dismissed?

What Constitutes a Violation of Equal Protection of the Law?

Whether the lower court abused its discretion, exceeded its jurisdiction, violated due process and duty when it denied Petitioner's Motions for Disqualification in BC106025 c/w BC143489, and SC049544.

Whether the Supreme Court abused its discretion and its duty by failing to enforce the law to issue an unopposed Petition for Review order to protect and preserve Petitioner's right to due process of law?

Whether Judge Edward L. Kakita erred, abused his discretion, exceeded his jurisdiction and duty when he issued his order vacating Petitioner's default and default judgment in BC106025 when he was cognizant that Respondents and their attorneys procured said order through multiple counts of wilful and malicious extrinsic fraud and perjury?

Whether the Court of Appeals for the 2d. App. Dist, Div 5, and the CA Supreme Court abused its discretion and its duty by failure to enforce the law to issue a Petition for Writ of Mandate in order to protect and preserve the Petitioner's right to due process of law?

Whether the lower court erred, abused its discretion, and exceeded its jurisdiction by denying motion to set aside judgement and enter a new and different judgment...; and Motion for Reconsideration in BC106025 c/w BC143489 when the basis for said judgment was procured through his and Hernandez' wilful and malicious perjury?

Whether Calif. Ct of Appeals, Div. 5 and 7, erred and abused its discretion by dismissing Petitioner's appeal even though Petitioner had standing to pursue an appeal and is not now judicially estopped from pursuing the action?

Whether the California Supreme Court erred, abused its discretion and its duty by denying an Unopposed Petition for Review based upon dismissal of an Appeal, denial of motion for reconsideration and motion to vacate judgment that was procured by wilful fraud and perjury?

Should a party have to file another action as opposed to correcting the error of law in the same proceeding?

Are WFCU, FIRST, Roney Ragland and others continuing in violations of 11 U.S.C.A. § 362(a)?

What does judicial proceedings in violation of the stay mean?

Whether judges should be ordered to write and sign their orders?

Whether judges, defendants and their attorneys are privileged to commit perjury in hearings and in court documents?

LISTING OF PARTIES

The parties to the proceedings below, BC106025 consolidated with BC143489, were petitioner Audrianne Norwood, an individual, respondents Western federal Credit Union, a co-operative association, and First Independent Trust Deed Service, at that time was a corporation.

The parties to the proceedings below, SC049544, were petitioner Audrianne Norwood, an individual, and respondents LOAD LOCK-N-ROLL, INC., a corporation; Don Dean, an individual; Mike Galam, an individual; Western Federal Credit Union, a cooperative association; Richard S. Farashian, an individual; Edward Campana, an individual; First Independent Trust Deed Service, an unknown entity; Buffy Lyn Roney, an individual; Greenfield Homeowners Association, a suspended corporation, dba Greenfield; Patricia Jones, an individual; Coldwell Banker Corporation, a corporation; Terrianne Ramirez, an individual; Sheri Lopez, an individual; Michael De Somma, an individual; Paul A. De Somma, an individual;

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PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions for a Writ of Certiorari to review the judgments of CA State 2d App Dist Div. 7 and Div. 5 affirming dismissal of actions; Div. 5's sustaining an untimely demurrer, and sustaining Judge Alan Buckner' refusal of recusal.

OPINIONS AND ORDERS ENTERED BELOW

The opinions of CA Supreme Court denying Review (App 1, 10, and 19); Ca Court of Appeal 2d App Districts, Div 7 and 5's dismissal of appeals and Circumvention of Disqualification (App 2, 3, 5, 11, 12, 20, 21, 22); LASC Dept 14 Dismissal of action and other errors (App 6, 7, 13, 17, 18, 23, 24, 26) are unreported.

CONSTITUTIONAL PROVISIONS INVOLVED

The Supremacy Clause, "This Constitution, and the Laws of the U.S. ...shall be The Supreme Law of the Land." 28 USCS §2403 (b) may apply and shall be served on Cal. Attorney General Bill Lockyer. I doubt any courts pursuant to 28 USCS § 2403(b) have certified to the State Atty Gen. the fact that the constitutionality of Calif. statutes are drawn into question.

JURISDICTION

Sep 1, 1999, the CA Supreme Court denied Petition for Review, S080843, App 1. The Jurisdiction of this Court is invoked under 28 USCS §1257, 2101(c) and 2104.

Jul 14, 1999, the CA Supreme Court denied Petitioner's Petition for Review, S079560, App 18. The jurisdiction of this Court is invoked under 28 USCS §1257, 2101(c) and 2104.

Jun 30, 1999, the CA Supreme Court denied Petitioner's Petition for Review S079049, App 10. This Court's Jurisdiction is invoked under Rule 58, 60B, 28 USCS §1257, 2101(c) 2104,

2106. 11 USCA §362(a). The Supreme Court Rules 10(b) and (c), Rules 12, 13, 14 and 43 for costs; 1st, 5th, **14th Amendment**, 28 USCS §454. Art. III, § 2 of U.S. Constitution, USCS §1651.

STATEMENT OF THE CASE

Petitioner's causes arise under violations of the U.S. Constitution Amendments I; IV §1; VIII §1; XIV §1; and 11 **USCA §362(a)**. This is a major real estate fraud conspiracy case that has been perpetrated through the judicial system. **Penal Codes §182(a)(3) and (4).**

May 1988, Petitioner refinanced her condominium, condo, with Western Federal Credit Union, WFCU, the Deed of Trust recorded Jul 18, 1988, Clerk's Transcript Volume, CTV 1 000088, line 10, WESTERN FEDERAL CREDIT UNION, a corporation, invoking **Business and Professional Code §17910.5(a), Penal Codes §118, §115. Chapter 14 of Title 12 of the U.S. Code ...(1) the term "Federal Credit Union" means a cooperative association.**

Oct 1991, Buffy Lyn Roney, "Roney" at most times mentioned, was a condo owner, president, secretary, officer, or board member, trustee, atty. and main ruler of Greenfield Homeowners Association, "Greenfield", recipient of Petitioner's bankruptcy and foreclosure documents on condo, and **officer of the court** said, "I could put a lien on your condo so you can't get a loan". Fraud by Deceit. Dec 2, 1991, Roney, with **malice** aforethought to defraud Petitioner of her condo and personal property, caused a lien, 91-188285, CTV 9 001911, to be filed on petitioner's condo and credit report and prevented petitioner's refinancing at a lower rate. Roney refiled lien 92-439989 Mar 17, 1992. Feb 1996, Roney purchased Petitioner's condo worth between $200,000 and $250,000 +, allegedly for $125,000. **PC §182 (a)(4). 18 USCS §154. State Bar Rule 4-300.** See page 5 et seq for more on Roney!

The following filed with County Recorders allege WFCU, a

corp: Feb. 10, 1992, Notice of Default, Trustee Sale No **92-5324-B** CTV1 000047 1.9 WFCU, A Corp **B&P §17910.5, PC §§118 115**

May 26, 1992, First and WFCU received about $11,550.60, Not. of Trustee's Sale CTV 1 000048 **B&P §17910.5, PC§§118 115**

Jun 3, 1992 Notice of rescission recorded as 92-1010787, CTV 1 000049, **B&P §17910.5, PC §118, §115.**

Aug 5, 1992, a premature Notice of Default filed with the County recorder's, CTV 1, 00052, **B&P §17910.5, PC §115, §118.**

Sept 1992, WFCU refused $2,424.00, (2) loan payments violating its Variable Loan Interest Rate CTV 1 000087, No. 15.

Are WFCU, FIRST, RONEY, RAGLAND and others continuing in violations of §362(a)? Oct 16, 1992, Petitioner filed Ch. 7 Bankruptcy LA9249908-LF in U.S. Bankruptcy Ct., CA Central Dist. Said Bankruptcy proceeding automatically stayed and enjoined the pending Notice of Trustee's Sale and any acts in furtherance of a Trustee's Sale during the pendency of the Ch. 13 proceeding, including but not limited to any formal announcements or **republication** of a new Trustee's Sale date, pursuant to **§362(a)**. The Ch. 7 bankruptcy converted to Ch. 13 Feb 1993, GM 9249908. Mar 10, 1993, petitioner paid three (3) loan payments, $3,636.00 to WFCU's atty, Karen Ragland, Ragland, in the bankruptcy ct. Mar 17, 1993, with **malice** aforethought in the anticipation of defrauding Petitioner of her condo, WFCU deposited the $3,636.00 into petitioner's savings account. Petitioner was not allowed to withdraw any funds from her account.

CTV 1 000194, copies of WFCU's Mar 31, 1993, Dec 31, 1993, and Mar 31, 1994 Statement(s) of account. WFCU's entry dated **MAR 17 DEPOSIT/LOAN PAYMENT TRANSACTION REF# 14:21:35**, invokes **§ 362(a)** and **PC 503**. 9th Cir.BAP(Cal.)1991. Violation of stay is "willful" when Creditor acts intentionally with

knowledge of Bankruptcy. Bankr.Code, **§362(h)**, an individual injured by any willful violation of a stay provided by this section shall recover actual damages, including costs, atty's fees, and, in appropriate circumstances, punitive damages.

What does judicial proceedings in violation of the stay mean? **In re Lampkin**, 116 B.R. 450, 453 (Bankr. D.Md. 1990) **Dismissal of the case does not itself annul the effect of the stay voiding acts that violated it**; Ragland, a purported bankruptcy specialist with knowledge of WFCU's violation of §362(a) of the bankruptcy code, caused the bankruptcy case to be dismissed about Apr 1993. **Stephens, In re (1888) 77 C 357, 19 P 646**.

Feb 25, 1994, FIRST, without renoticing, held a fraudulent sale of Petitioner's condo to WFCU; used and filed 1992 Notice of Trustee's sale 92-6407-B, re. WFCU, a corp CTV 1 000057, violating **§362, Bus & Prof Code §17910.5, PC §115, §118**, and **C.C. §2924 et seq**. CTV 1, 000058, Not. of Default Recorded 08/05/92), **In Re Tome** 113 B.R. 626; **Huddleston v. Texas Commerce Bank-Dallas, N.A.**, 756 S.W.2d 343 Tex Ct.App.(1988). **Ellis v. Consolidated Diesel Electric Corp.**, 894 F.2d 371 (10th Cir, 1990) **Judicial proceeding that continued in violation of the stay is void even though the bankruptcy court lifts the stay to allow the proceeding to continue**. CTV 1 000194, WFCU's Item 3 of Mar 31, 1994 Statement of Account, Feb 25, 1994, WFCU withdrew, closed, and setoff Petitioner's savings account totaling $3,728.77, again violating **§362(a)7**. **Nelson, 6 Bankr.** at 251, **funds wrongfully set off by bank restored to debtor**. **In re Zunich, 88 B.R. 721, 723-24** (Bankr. W.D.Pa.1988) **Richard v. City of Chicago**, 80 B.R. 451, 454 (N.D.Ill 1987)WFCU's Closed-End Variable Loan Interest Rate **prohibits setoffs**. CTV1 000086 #9.

WFCU sold Petitioner's condo to Officer of the Court Roney. Edward Campana signed Grant Deed Jan 25, 1996; Recorded WFCU, a corp. **18 USCS §154, 18 USCS 1344, 11 USCA 362(a), Bus & Prof Code §17910.5, PC §§115, 118, 531, 531a, 182(a),(4). Roney sold Petitioner's condo to Paul A. and Michael DeSomma**

about 12/3/97, **18 USCS §154, §362(a), PC §§531, 531a.** Roney's lien, or whomever's name on title is void, ab initio! **Stephens, In re (1888) 77 C 357, 19 P 646.**

Feb 17, 1992, Roney filed a small claims action case no 142891, allegedly on behalf of Greenfield Homeowners Association, **Inc. Bus & Prof Code §17910.5, PC §§115, 118, 182(a)(3)(4).** Roney charged her atty fees of $300.00 + $13.00 lien recordation costs, + $195.00 interest to Petitioner's Homeowners dues. **Moral turpitude and Deception of Court by Atty Bus & Prof Code §§ 6068(d), §17200.** About the end of 1998, Petitioner discovered Greenfield has been a defunct corp. since 1986. Defunct corporations cannot legally transact business in the state of CA, and further invalidates the void lien on Petitioner's condo!

Roney wrote Petitioner a letter and stipulation stating Petitioner would relinquish her condo worth $200,000.00 +, her household furnishings and personal property if she did not pay her homeowners dues around $1,000.00 more or less, within a few weeks. **PC §§523, 524, 519**, and Roney's wilful intent to defraud Petitioner's condo and personal property, **PC §182a,(4).**

Should a party have to file another action as opposed to correcting the error of law in the same proceeding? Petitioner filed an amended complaint **SC049544**, in LASC West, Santa Monica, CA, Jan 28, 1999, after Petitioner discovered multiple Respondents were involved in multiple conspiracies to defraud her real and personal property, and in an attempt to remove herself from the wilful and malicious abuse she suffered in LASC Central Dept 14. BC106025, was dismissed by Judge Buckner, Hernandez, and Bartlett's perjury. **SC049544** is operative. Petitioner spent a lot of time and money researching, filing and serving defendants for a Claim and Delivery Hearing, she was certain to win as Respondents were continuing in violations of **§362(a)**. To thwart the hearing, Jesse S. Hernandez, Hernandez, atty for WFCU, FIRST, Farashian, and Campana, filed a Notice of Related Action in LASC Central when he knew the case was

filed in LASC West, requested all hearings removed from calendar, without extending a courtesy copy to the trial judges nor to LASC West files. My Opposition was filed in LASC West. LASC Central Div 1 did not receive my opposition. The cases were deemed related, hearings were removed from calendar, ordered to **timely re-notice**, and SC049544 was transferred to LASC Central Dept. 14.

Whether the lower court erred, abused its discretion, exceeded its jurisdiction and duty by granting an untimely demurrer and practicing law? Notice of hearing. A party filing a demurrer shall serve and file therewith a notice of hearing which shall specify a hearing date in accordance with the provisions of **CCP § 1005**... 20 days notice is mandatory in LASC. **County of Los Angeles v. Warmoth**, 72 Cal. Rptr. 2d 902. Respondents wilfully and maliciously perpetrated extrinsic fraud.

The 4/9/99 transcript of hearing was filed in CA 2d App. Dist., Div 5 P 8, at line 10, The Court: It is under Rules 317 and 319 of the CA Rules of Ct. as well as under 9.8, subdivision B, of Los Angeles Superior Court Rules, All Papers and Opposition to a Motion are to be filed at least five days before the hearing and, of course, also to be served within the same time limitation. The conclusion is inescapable that the plaintiff in this case simply didn't get around to complying timely, and I am unwilling to accept as anything other than an excuse the claim that my computer broke down. [**The face of Respondents motions before Judge Buckner were filed stamped March 22, 1999 for the April 9, 1999 hearing(s), but he concealed the fact Respondents were late filing their motions.**]

The CA Supreme Court was noted of the following on p. 2, of Petition for Review that Respondents filed Demurrers Mar 22, 1999 for an April 9, 1999 hearing. Failure to file Opposition papers does not justify granting a motion that is untimely as a matter of law. **Sexton v. Superior Court v. Mullikin Medical Center**, 68 Cal.Rptr.2d 708 (Cal.App.2d 1997) supra 58 CA4th at

1410, 68 CR 2d 708 at 712 - late filed motions must be denied where objection raised at hearing even if omitted in opposition papers. Petitioner cited violations of due process under CA and U.S. Const. P. 9, at line 16, of 4/09/99 Transcript, The Court: ... The Demurrer is sustained. This is the demurrer to the first amended complaint. Once again, 20 days leave to amend. **Ms. Norwood, I'm going to have to ask you strictly to comply with the rules.** Ms: Norwood: **Well, Your Honor, They did not file timely -- I have filed the Request for entry of default prior to them serving or filing their Motions to Strike or the Motion to Demurrer. The Court: That's not before me, Ms. Norwood. Ms. Norwood: But, your Honor, it is. When it's 30 days that they're supposed to answer, They did not answer within the 30 days. That's according to statute.** **Alameda County Land Use Assoc. v. Hayward**, 38 Cal.App.4th 1716(1995). Note 2a, 2d par. If facts reveal an actually controversy exists between the parties, the complaint is legally sufficient for declaratory relief. **Zeitlin v. Arneberg** 59 Cal.2d 901, 908, 31 Cal.Rptr. 800, 383 (1963). Sustaining demurrer when complaint reveals such a controversy **constitutes error**. **Maguire v. Hibernia S. & L. Soc**. (1944) 23 Cal.2d 719, 728, 737. **Feuntes vs. Shevin**, 407 U.S. at 81 and 82.

Petitioner was injured when her car was rear ended March 25. On the day she and the process server anticipated filing and serving the papers Petitioner's computer crashed and she could not retrieve the documents she had worked on for several weeks. Petitioner opposed the demurrer by ExParte Application **Sexton v. Sup. Ct., Mullikin Med. Ctr**.68 Cal.Rptr.2d 708. Cal App 2d (1997) Some demurrers were filed to circumvent defaults, **Bank of Nova Scotia v. U.S.** 487 U.S. 250, 254 - 255 (1988), **deny due process**, to harass and delay Petitioner. **Prof. Model Rule of Conduct 3.1**, **Bithoney** 486 F.2d 319 (1st Cir. 1973). A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is basis for doing so that is not frivolous... It wastes time and money amending a complaint that **boldly reveals actual controversies exist** between the parties. Respondents wilfully and maliciously filed a Motion to Dismiss Petitioner's Appeal knowing they committed extrinsic fraud. It is

sufficient cause for disbarment for atty to encourage commencement of proceedings which he knows, or has reason to know, are illegal or unjust. **In re Stephens** (1888) 77C 357, 19 P 646; Due Process requires Notice and Opportunity for Hearing. **Twining v. New Jersey (1908) 211 U.S. 78, 29 S.Ct. Burlingame v. Justice's Court** 1 Cal.2d 71; 33 P.2d 669 (1934) abuse of discretion **Beasley v. Wells Fargo Bank N.A.** 235 Cal.App.3d, 1383, 1 Cal Rptr 2d 446 (1991) erroneous; Two Minute Orders were issued, App 6 and 7, a Notice of Ruling, was prepared by WFCU's atty Steven Yee, App 9. A portion of 4/9/44 transcript, App 8, depicts Judge Buckner again violated **28 USC §454,** practiced law, and probably the reason App 6 was replaced by App 7 to conceal the evidence. The Court: Gentlemen, you are, and each of you is ordered forthwith to determine whether Ms. Norwood is or should be declared to be a vexatious litigant. If in your judgment she ought to be so declared, but has not been, you're **ORDERED** to file the appropriate motion within one week from this day, **28 USCS §454**. **Audett v. U.S.**, 265 F.2d 837, C.A.9 (Idaho) 1959).

The **untimely notices deprived Judge Buckner of jurisdiction**. **Gilbert v Superior Court (1985)** 169 Cal.App.3d 148, 2125 Cal Rptr 305. **All of Judge Buckner's order(s) must be reversed! Review** should be granted for this court to settle and or supervise the statutory construction principles of untimely demurrers and Judges practicing law.

What Constitutes a Violation of Equal Protection of the Law? Judge Buckner's practice of law in the demurrer hearing, and when he ordered an unwarranted mental competency exam appears to be wilful and malicious violations of **Calif. Const. Article: I, §7(a). §16. Trial by jury is an inviolate right and shall be secured to all...**, proof of this unrighteous judge's bigotry, and violations of my civil rights. Effect of **13th Amendment** Extends to all races, and a denunciation of a[(an **evil** condition].

An African American female has the right to acquire property without state legislation discriminating against him [or her] solely

because of color under **U.S. Const. 14th Amend**. **Buchanan v. Warley**, 245 U.S. 60, 38 S. Ct. 16, 62 (U.S. L.Ed) 149, Ann. Cas. 1918A. I am a citizen, born in the U.S. My parents, grandparents, great, and great great grandparents and I have worked hard, to be educated contributors of society, to live righteous lives and continue to inspire men and women of all races to be contributors of society. I should not have had to spend 7 years and 3 months fighting for my rights to own and possess my real and personal property **respondents have NEVER had any claim to!**

Whether Calif. Ct of Appeals, Div. 5 and 7, erred and abused its discretion by dismissing Petitioner's appeal even though Petitioner had standing to pursue an appeal and is not judicially estopped from pursuing the action. Petitioner's p. 4 of Appeal to CA 2d App. Dist, Div. 5, No. 10 states, "Moving Parties' Motion to Dismiss appeal is a frivolous violation of **due process under the U.S. and California Constitution's 14th amendment**, and the fact Moving Parties presented nonapplicable statute. Wherefore, the Motion to Dismiss Appeal should not be granted. No. 12. Appellant's reason for not desiring to amend her complaint is because she has ten entered defaults and amending the complaint could possibly render moot the default judgments, which is the real reason the moving parties filed the demurrer. "A complaint must be liberally construed and will survive a general demurrer if it states a cause of action on any theory". **Pulver v. Avco Financial Services** (1986, 2d Dist) 182 Cal App 3d 622, 227 Cal Rptr 491. The reading of Appellant's complaint depict a demurrer should not be sustained as this complaint has many viable causes of actions and depicts in detail over 200 counts of fraud perpetrated by co-conspirators." **Hernandez' perjury was ignored in 2d App. Dist**. **Review** should be granted for this court to settle and or supervise the non-equal protection of the law.

In "Request for Stay of Remittitur Until Motion to Vacate the Order and Reinstate the Appeal Can Be Heard," Petitioner cited California rules of court **25(a)(c), 43, 44, C.C.P. §1005(b)**. Page

1, paragraph 4, "Respondents attorneys wilfully and maliciously deceived the appellate court into believing they filed timely demurrers, causing the Appellate Court to err and dismiss Petitioner's Appeal prior to the record." Hernandez committed perjury, **P.C. 118**, in Div 5 and 7's pleadings, which were overlooked. Attys must be privileged to commit perjury, or they wouldn't so brazenly commit it. Respondents did not oppose the "Request for Stay of Remittitur...", nor the Petition for Reviews in Calif. Supreme Court, therefore, Petitioner's "Request" and Petition for Review(s) should have been granted. The Supreme Court affirmed the lower courts error(s) and violated Petitioner's U.S. Constitutional Fifth and Fourteen Amendments. This is inconsistent with and departs from this court's understanding. **In Re. Feuntes** 407 U.S. at 81 - 82. This court should settle and or supervise this court's delineation of procedural and substantial due process requirements.

Does CCP § 904.1 (8) mean you can file an appeal on sustaining a demurrer in an action to redeem real or personal property from a mortgage thereof, or a lien thereon, determining the right to redeem and directing an accounting? If this Most Distinguished Court determines **CCP §904.1(8)** doesn't apply towards my appeal, the appeal is still valid as to respondents' untimeliness discussed above. **Vibert v. Berger** (1966) 48 Cal. Rptr. 886, 410 P.2d 390, 64 C.2d 65. Order sustaining demurrer is interlocutory and not appealable and appeal must be taken from subsequently entered judgment, **except where notice can be interpreted to apply to an existing appealable order or judgment** and no prejudice would accrue to the respondent. Petitioner is the only interested party that has been prejudiced in this case. The CA Supreme Court in **Granberry v. Islay Investments** 889 P.2d 970, 9Cal.4th 738 (1995) indicated the plain language controls the construction principals applied. Nonetheless, the state courts ignored these interpretations of the plain language doctrine which creates a violation of equal protection in U.S. Const. **Amend. XIV, §1**.

Violations of Petitioner's U.S. and Calif Constitutional rights were addressed in her Petition for Review. Petitioner believes the CA Supreme Court abused its discretion and its duty by failing to enforce the law to issue a Petition for Review order to protect and preserve Petitioner's right to due process of Law. **Review** should be granted to settle and or supervise the statutory construction principles of **CCP §904.1(8)**.

Whether Judge Edward L. Kakita erred, abused his discretion, exceeded his jurisdiction and duty when he issued his order vacating Petitioner's default and default judgment in BC106025 when he was cognizant that Respondents and their attorneys procured said order through multiple counts of wilful and malicious extrinsic fraud and perjury? June 1, 1994, Petitioner filed BC106025 in LASC Central. WFCU and FIRST were properly served Aug 10, 1994, CTV 1 000103 and 000105, WFCU's Mgr, Farashian signed the Notice of Acknowledgement, CTV 12 002595. Oct 1994, Request to Enter Defaults were filed and entered. Apr 1995, WFCU and FIRST through their atty Ragland and WFCU's mgr, Farashian, committed multiple counts of perjury, and **extrinsic fraud** to vacate Petitioner's Defaults, violating Petitioner's right to due process of law: CTV1 000109, line 24, Farashian states he is a Manager, 000110, line 13, "...WFCU... a corporation." **PC §118**; he and Nadler, another **mgr**, are not authorized to accept service of Summons and complaint. **PC §118.** CTV1 000111, line 5, "...to serve First Independent at our address was improper." **PC §§118, 115**, FIRST's Pres., Leslie Leggitt was properly served pursuant to **CCP 416.10(b)** at FIRST's office in Calabasas, CTV1 000105. **Ameron vs. Anvil Ind. 524 F2d 1144, 1145 (9th Cir. 1975) cites CCP 416.10(b).** The mgr. accepted in **Granberry vs. Islay, Inc.** 38 Cal. Rptr.2d 650 at pages 652 - 654. Service was sufficient for WFCU's mgr., Mr. Nadler, who was properly served at WFCU, CTV1 000103, and said Farashian represents WFCU on Petitioner's condo, and can also accept service of summons and complaint. Farashian signed Notice of Acknowledgement, CTV12 002595. **CCP 416.10 Cosper v. Smith and Western Arm** 53 C.2d 79 83 (Cal Sup).

Kinney vs. Vaccari 27 C.3d 348, 354 note 2 (Cal Sup.) **Watts vs. Crawford** 42 CaR2d 81, 85 (Cal. Sup.) **CCP 415.10** Any Party to the action can accept service.

CTV1 000114, Ragland re WFCU a corp: **4 counts of PC §118,** CTV1 000121 **4 counts PC §118,** CTV1 000124 **PC §118** CTV1 000122 FIRST served at WFCU, **PC §118. 10 counts of perjury, filed** in records to vacate default, and mailed to Petitioner. **PC §115, Bus & Prof Code §17910.5 (a)(b)(1)(2); PC §182(a)(3)(4)(5), and 18 USCS §1341**. The minute order, CTV 1 000132.

May 1995 Unlawful Detainer trial, I told Com Linda P. Elliott she lacked jurisdiction as I had over $30,000.00 equity in my condo, she said, "This trial will take all of five minutes" and proceeded with trial, violating **PC §182(a)(3)(4)(5)** and **§362(a).** CTV12 002675. Jan 24, 1995, I filed bankruptcy LA95-11951-SB, and took a copy to the Sheriff's Dept. Jan 25, 1995, Ragland faxed an outdated order, CTV9 001919, to the Sheriff's dept deceived the sheriff, gave her permission to levy, break down my door, order me from my condo at gun point in pajamas and robe, ousted me from my condo while the bankruptcy **stay was in effect, CTV 9 001920, violating 18 USCS §1343, PC §182(a)(3)(4)(5), 362(a).** **In re Celotex** 514 U.S. 300 (1995) at 322, note 8; **Maritime Electric Co.**, 959 F.2d 1194, 1206 CA3 1991).

Petitioner was ordered to file another default. Oct. 2, 1995, Petitioner was awarded title and possession by default judgment against WFCU and FIRST to her condo free and clear of any liens and encumbrances, CTV 1 000218, 000219 in BC106025. Petitioner returned to her condo and was in peaceful possession thereof. The Prudential **For Sale** sign on behalf of Coldwell Banker, and his realtors Sheri Lopez. Lopez, and Terrianne Ramirez, Ramirez, was on the lawn for 93 days, constituting **93 counts of trespass. PC § 556.1.** Placing a sign that advertise on private property. Ramirez signed a false declaration to assist WFCU in defrauding my condo. Ramirez and Lopez wilfully and maliciously continued marketing Petitioner's condo, knowing

Petitioner was in title and possession. **PC§182(a)(3)(4)(5).**

Oct 26, 1995, Ragland by Ex Parte Application ...to Set Aside ... Default Judgment...CTV1 000220, told Com. Levine she did not know a default judgment was entered. Com. Levine asked hadn't she received that information from the court? Ragland stumbled and said yes. Com. Levine remanded the case back to Judge Kakita. Ragland filed a Notice of Motion ...for Order to Set Aside Default and Default Judgment... CTV2 000252, l. 8, Ragland commits perjury **PC 118.** ...The neighbors have represented to WFCU's realtor that her presence at the complex is extremely disruptive. L. 27, Ragland offers into evidence the Motion to Expunge Lis Pendens procured thru fraud and perjury, **PC §§ 132, 115.** CTV2 000257 L.2,3, Ragland offers into evidence her fraudulent Order Expunging Pendens. **PC §132** CTV2 000261. Ragland offers into evidence her fraudulent Order to Expunge Lis Pendens, line 6, **PC §132, PC §115, PC §182(a)(3)(4)(5), Prof Model Rule of Conduct 3.1, Bus and Prof Code §6128(a), Bus & Prof Code § 6068(d).** Page 15 last paragraph and CTV2 000262 l. 5-7, Ragland admits WFCU marketed my condo while I was in title and possession, **18 USCS §1344;** Ragland willfully continues WFCU being a corp, CTV2 000267 l. 21; 000268 l. 14, 22, 26; CTV2 000269 l. 21; CTV 00272 l. 26 Ragland stats Judge Kakita sanctioned me at her fraudulent Lis Pendens hearing. CTV2 00274, l. 3. **9 counts of PC 118, 115.**

The default judgment was vacated thru extrinsic fraud. WFCU was awarded possession in an unprecedented void on its face order without the prerequisite of an ejectment or summary proceeding before obtaining possession of my condo. Petitioner's Opposition begins on CTV1 000126. CTV1 000114 Dec of Karen A. Ragland ... Mot. to Set Aside Default... **5 counts;** CTV1 000118, L. 4-5 **2 counts;** CTV1 000120 **2 counts**; CTV1 000121 **4 counts; CTV1** 000122 L.4-6 **1 count;** CTV1 000124 **2 counts;** The documents were filed and mailed to Petitioner, **Bus and Prof Code §17910.5**a., **18 USCS §1341.** About 16 Counts of **PC §§118, 115** in this paragraph. CTV1 000110 No. 3, **3 counts**; No. 4, **3**

counts; CTV1 000111 **1 count; 7 counts** of **PC §§118, 115** in this paragraph. The document was filed and mailed to Petitioner **18 USCS §1341.** Within **CCP §416.10(b)**, the mgrs, Mr. Nadler and Farashian were properly served and are persons who can accept service of summons and complaint, ergo, WFCU was properly served. FIRST's Pres. Leslie Leggitt'S title is within **CCP §416.10(b)**. Judge Edward Kakita erred, abused his discretion, exceeded his jurisdiction by vacating entry of default and default judgment procured through extrinsic fraud. **Los Angeles v. Farming & M. Co.** 150 Cal. 647 (1907). **Pope v. Manville Forest Products Corp.**, 778 F.2d 238, 239 (CA5 1985)("just the entry of an order of dismissal, even if entered sua sponte, constitutes a judicial act toward the disposition of the case and hence may be construed as a `**continuation**' of a judicial proceeding"). Judge Kakita signed order Setting Aside Default and Default Judgment, Nov. 17, 1995. App 27, CTV 2 0000277. The Minute Order, CTV 2, 000275. **Art. 3 § 2**. **Los Angeles, v. Los angeles Farming and Milling Co.** 150 Cal. March 1907; **Onofrio v. Rice** 55 Cal.App.4th 413, 64 Cal.Rptr.2d 74 (May 1997); **Alliance Mortgage Co. v. Rothwell** 10 Cal.4th 1226; 44 Cal.Rptr.2d 352; 900 P.2d 601 (Aug 1995); Petitioner requests Judge Kakita's order which was procured through extrinsic fraud and perjury is overturned. **Rylee v. McMorrough**, Tex. Civ. App., 616S.W.2d 649, 652. **Ameron vs. Anvil Ind. 524 F2d 1144, 1145 (9th Cir. 1975)**, upon the same interpretation and or construction of CCP 416.10(b), entry of default and default judgment. **Review should be granted** to explain how the lower court deemed it necessary to vacate default and default judgment, and settle, supervise and or explain the state court's ruling, which departs from a federal court ruling on the same subject matter.

Ragland used a fraudulent Closed End Variable Loan Interest rate to Expunge Lis Pendens, deceiving the court to believe WFCU had Rights of Offset, **PC §§132, 134, 115, 182(a) (3)(4)(5) and PC §471**. The correct Closed End Variable Loan Interest rate, CTV 1 000086, Item 9. Rights of offset is stricken.

Whether judges should be ordered to write and sign their orders? Ragland prepared the fraudulent Order Expunging Notice of Pendency of Action, and added non-ordered $600.00 sanctions. Because the judge trusted an Officer of the Court, he signed the order. The minute order, and handwritten order in the docket signed by Judge Kakita CTV9 001924 proves no sanctions were granted. **PC §132, 134, 115, 182(a)(3)(4)(5), PC §471, Bus & Prof Code §6968(d) and 6128(a) misdemeanor; PC §182(a)(3)(4) (5).** The fraudulent order was filed with the Court, the Recorders, a copy was mailed to Petitioner. **2 counts of PC §§118, 115, Bus & Prof Code §17910.5, 18 USCS §1341.**

Attys should not be allowed to prepare orders. Many orders do not cite pertinent details of hearings and other errors. The judges should be ordered to timely write their own orders in the docket, then recorded in the minutes. If there's no room for docket ledgers, the orders could be placed on computer disk(s).

Emergency Stay, Petition for Writ No.B098161 was received by CA 2d App Dist Ct Dec 20, 1995. Dec 21, 1995, Petitioner could not leave her condo to pick up "stay" because of scheduled eviction. About 12:15 p.m., Farashian accompanied the deputy sheriffs. I told them they were breaking the law. The court had been deliberating on the stay since 8:30 a.m. and displayed a copy of "Request for Stay", Petition for Writ." They said it was very well done and asked if I prepared it? I pleaded to use my phone to see if the stay was issued, so the court could fax a copy of stay I was certain had issued, but I was not allowed to use my phone. I pleaded that Farashian, who had a fiduciary duty to call the court, but he wouldn't. Ragland said she received the "Request for Stay" that morning, but WFCU had no time to act upon it. **Ex parte Felthoven** (1946) 171 p.2d 47, 75 C.A.2d 465. Continuing in violations of §362 and violation of 2d App. Dist, Court's stay, Ragland and WFCU caused petitioner to be evicted from her condo. **People v. Superior Court for Los Angeles County**(1965) 48Cal. Rptr.445, 239 C.A.2d 99. After the eviction, Petitioner went to Ca App. 2d dist. and got a copy of

the stay, CTV2 000397. The court had mailed a copy of the "stay" to Petitioner and Ragland, who received it about 10:30 a.m., Dec. 22, 1995. Dec 22, 1995, while continuing in violations of §362(a) and the 2d App. Dist, Court's stay, CTV2 000397, WFCU's Farashian, trespassed, committed grand theft of Petitioner's household furnishings, personal property, and four legal file cabinets, **obstructing justice, PC § 182(a)(4)(5),** maliciously stored them without my permission in LOAD's storage. I had promised the Ca 2d App. Dist Ct I would bring the evidence of the defraudations of my condo within 24 hours, not knowing that within 24 hours I would be sleeping on the floor of a crude rented room and unable to keep my promise, ergo, Jan 4, 1996, the stay was dismissed. Farashian wrote CTV2 000395, stating my belongings were in storage, requested $1,977.30, and I had until Jan 29, 1996 to reclaim them. I called Load's president Don Dean, Dean, and offered to pay storage, sent a copy of "the stay" and alerted him of the theft. Dean said to tell Farashian; Farashian said that wasn't my responsibility, WFCU would pay the storage. Jan 26, and 27, 1996, Ragland faxed extortionate faxes CTV2 000356, 000355, the Jan 29, 1996 fax, CTV2 000363 stated I could not retrieve my personal property invoking **PC §519, 523, 524, §182(a)(4)(5), 18 USCS 1343.** I have written, called, faxed mailed letters and orders proving my personal property and legal file cabinets obtained by grand theft were being concealed and withheld in violation of CA 2d App. Dist stay, while continuing in violation of 362(a), and **obstructing justice,** but WFCU has refused to return my personal property and **legal file cabinets** they nor LOAD have every had any claim to. Jan 29, 1996, about 12:00 p.m., I went to LOAD, spoke with Dean about retrieving my belongings, Dean said WFCU would have to give him permission to release it. My personal property and legal files are still being concealed and withheld. **PC §182** (a)(4). Petitioner is without a plain and speedy remedy in order to recover her real and personal property except from this Magnificent Court. **Review should be granted** for this Court to settle and or supervise the violations of Petitioner's **U.S. Constitutional Amendments IV and XIV and 362(a).**

Whether judges, defendants and their attorneys are privileged to commit perjury in hearings and in court documents? There seems to be a silent code that allows perjury for this select group as none have been admonished nor punished for perjury in the 7 years 3 months that I've been in court. It would be difficult to count the exhibited perjury shown in this document, but this is minute compared to the multiplicity in the case(s) files!

Whether Judge Buckner ever had jurisdiction over BC106025 c/w BC 143489 or SC049544? May 30, 1996, Judge Luke sustained Jesse S. Hernandez's, Hernandez, demurrer, ordered Petitioner to serve and file a Second Amended Complaint by **7-15-96**, and Respondent to serve and file a responsive pleading by **8-05-96**, App. 24. CTV 12, 002637. The amended verified complaint was timely filed and served. An untimely Verification was signed **Dec 24, 1996 CTV 12 002633** but not attached to verified answer. Failure to verify under C.C.P. §446, and §2009. **U.S. V $84,740.00 Dollars**, 900 F2d 1402 (9th Cir. 1990). The U.S. Atty failed to verify a pleading which resulted in dismissal for failure to verify. Judge Buckner became Dept 14 judge of BC106025 at Jan 30, 1997 Summary Judgment hearing. Judge Buckner lacked jurisdiction over BC1065025 because WFCU and FIRST failed to timely answer amended verified complaint. Judge Buckner stated Petitioner had not filed any exhibits. Petitioner stated she was sure she had filed exhibits, which she had. Hernandez said under his breath, Judge Buckner was reading from BC143489, there were too many scheduled motions for a new judge, and I don't think Judge Buckner new bankruptcy nor real estate law. There are many travesties of justice and the case is overwhelming. Portions of the hearing's transcript is App 28.

Hernandez became atty of Record around Apr 16, 1996. Hernandez violated **P.C. 118, P.C. § 182 (a)(3)(4)(5), Bus and Prof Codes §6128(a), §6068(d)** and **Prof. Model Rule of Conduct 3.1.** Leslie Leggitt's facts consisted of perjury and a blatant fraudulent conveyance! Ms. Norwood submitted CTV7 001381

BC106025. Separate Statement of Disputed and Undisputed Material Facts Opposing ..... and in support of Plaintiff's Cross Motion for Summary Judgment [§437c; **Penal Codes §7, § 118, §132, §134**]; CTV7 001384 11. ..."Judicial proceedings in violation of this automatic stay are void." Feb 25, 1994, FIRST sold WFCU my condo with a fraudulent notice of default from 1992, ... "Trustee's sale based on invalid or deficient notice of default is invalid.", **Anderson v. Heart Federal Sav & Loan Assn** (3d Dist. 1989) 208 Cal.App.3d 202, 256 Cal Rptr 180; No one notified the bk trustee; WFCU offset bk assets in violation of **362(a)** and its variable interest loan rate.... It's Exhibit 1, about page 8, "Close End Variable Interest Rate", ... Exhibit H, shows **WFCU has no RIGHTS OF OFFSET; WFCU obtained the** Unlawful Detainer through fraud and perjury, see item 2 ¶2, above.

FIRST has been in business for a long time and should know **C.C. §2924** et. seq. and bankruptcy laws, which FIRST and WFCU are continuing in violation of! You have to renotice! **In Re Tome 113 B.R. 626** (Bkrtcy.C.D.Cal 1990) at 626 and 627 notes 2,3,4,5. Please refer to pages 4 through 7 of Petition. If FIRST doesn't follow foreclosure procedures, they have made a lot of fraudulent sales, as they did in this instance. FIRST advertised WFCU is a corp. invoking **Bus and Prof. Code §17200, Civil Code 2924.** Filed false Notices with county recorders, violated **Bus. and Prof. Code §17910.5, and PC §115.** FIRST did not alert the trustee of any sale, the sale was improperly held, and has to be set aside! **In Re Tome** 113 B.R. 626. Judge Buckner's dismissal of respondent Leggitt deprived Petitioner of her due process rights. **Ellis v. Consolidated Diesel Electric Corp.** 894 F.2d 371, 372-373 (CA 1990). This Court should settle and or supervise the deprivation of Petitioner's due process rights and the departure from Federal Court rulings by state courts.

What constitutes disqualifying the lower court judge? Judge Buckner's temperament and obvious bigotry toward Petitioner escalated and he began threatening Petitioner with incarceration, **violating Rule-104**. He allowed Respondents and their attorneys

to commit fraud and perjury. Contrary to **CCP §170.6(1)** Judge Buckner has exhibited unjust conduct inconsistent with being a just or fair judge, and has no interest in Plaintiff.
Sec. 14 ART.II. Judge Buckner abused his position; has been an unrighteous judge; violated the U.S. and Calif. Constitution on most occasions; made derogatory and apparently unfounded statements. He said I would walk in one way and be carried out the other, called me a loose cannon. § **170.6(2)**, and **Ng v. Superior Court**. 52 Cal.App. 4th 1010, 1023-1024, 61 Cal. Rptr.2d 49(1997). Mar 21, 1997, I filed Mot. for Peremptory Disqual. CCP §170.6, CTV11, 002454, its Declaration, 002456. 03/24/97 Judge Buckner denied motion as untimely CTV11 002459. Apr 3, 1997, Petitioner filed ... Verified Statement Objection to Hearing or Trial Before Judge Alan G. Buckner **CCP §170.3**(4)(c)(1), 002460, and its Declaration 002456. 04/14/97 Judge Buckner ordered Statement of Qualification stricken CTV 11 002467. CTV 11 002443, Motion for Disqualification and Objection to Hearing or trial before Judge Alan G. Buckner; CCP §170.1(6)(c);CCP §170.6. Judge Buckner made sure I wouldn't have a trial by dismissing my case, BC106025, through his, Earnest Bartlett (more on Bartlett on CTV 11 002399) and Hernandez' perjury and misrepresentations. **PC §118**. **Solberg v. Superior Court of the City and County of San Francisco, et al**. 19 Cal.3d 182, 561 P.2d 1148. **Catchpole v. Brannon** 36C.A. 4th 237. See App. 28, P. 5, lines 14-17 of 6-27-97 transcript, Judge Buckner violates Const. Cal., Art. I §2(a), and permits defendants to commit perjury. Judge Buckner never had any intentions of allowing my trial to proceed. The dismissal of my case was premeditated. **Pope v. Manville Forest Products Corp.**, 778 F.2d 238, 239 (CA5 1985) Section 7(a). Judge Buckner violated my constit. rights to jury trial, Equal Protection **People v. Bell** 45 Cal.App.4th 1030; 53 Cal.Rptr.2d 156 [May 1996] at 1033 and Due Process. Judge Buckner threatened and humiliated me on P. 20 lines 23-26 of 3-3-97 Transcript, and wilfully and maliciously misquoted P.32, lines 6-12 of 3-3-97 transcript, and committed perjury in the record invoking **PC §§118, 134**; on page 7 lines 6-9 6-27-97 transcript, Judge Buckner goes into a perjurious rampage

citing absolutely ridiculous statements into the record. Judge Kakita **NEVER** sanctioned me! At the 4/9/99 untimely demurrer hearing, SC049544, beginning on page 7, I knew Judge Buckner would never cease and desist his bigotry. **Buchanan v. Warley**, 245 U.S. 60, 38 S. Ct. 16, 62 (U.S. L.ed) 149, Ann. Cas. 1918A. Apr 19, 1999, I filed "Disqualification of Judge Alan G. Buckner for Bias and Prejudice [C.C.P. §170.6, §170.6(1) §170.6(2)]; Violations of United States Constitution and California Constitution." App. 23, Judge Buckner's Order striking it. I filed a Petition for Writ of Mandate May 3. 1999. The CA 2d App. Dist, Div 5, and the CA Supreme Court erred and abused its discretion and its duty by failure to enforce the law to issue a Petition for Writ of Mandate, and Petition for Review to protect and preserve my right to due process of law, App 19, 20, 21, 22, and denied my access to court - 1st amendment to Constitution. **Feuntes v Shevin** 407 U.S. 67, 97 at 81 and 82. They ignored **abusive facts** of the case predicated upon the preposition in **Catchpole** 36 C.A. 4th 237, and denied Petitioner procedural due process when they denied the fee waiver Petitioner was entitled to. **Edmonson 500 U.S. 614 at 624** indicates a bias act is one in which this court has considered a violation of the law. When the lower court's rulings were inconsistent with the rulings by this court, or analogies by this court, such as would indicate bias, or prejudice. The lower courts rulings were so outrageous, they ignore any resemblance of justice. Its almost impossible to disqualify a judge in LASC Central. The filing windows are not allowed to accept **any disqualification motions. Cal.App 1977**. Any act of a disqualified judge in violation of disqualification provisions of CCP is absolutely void whenever brought into questions and a judgment rendered by such judge is open to attack at any time. West's Ann. CCP §170. **T.P.B., Jr. v. Superior Court for Alameda County**, 136 Cal.Rptr.311. **Review Should be Granted** for this court to settle and or supervise the disqualification of the lower court judge.

Whether Judge Buckner erred, abused his discretion, exceeded his jurisdiction, when he practiced law and ordered Hernandez

to file an unwarranted mental competency test that was procured through his and Hernandez' wilful perjury, and the salient fact the emotional distress claim had been dismissed? P 4, lines 26-28 and page 16, lines 2-4 of 6-27-97 transcript, Judge Buckner practiced law. Hernandez ignored **28 USCS 454** prohibits a judge from practicing law when he acted upon the judge's suggestion to file a motion for examination. **In re Stephens** 77C 357, 19 P 646 (1888). The CA Supreme Court departed from a ruling by a federal court upon the same subject matter jurisdiction about examinations. The Notice of examination didn't give adequate information to prepare for a hearing. This Court said, "If the right to notice and a hearing is to serve its full purpose, then, it is clear that it must be granted at a time when deprivation can still be prevented", **Feuntes** at 407 U.S. at 81. Judge Buckner practiced law and **improperly ordered** Hernandez to file Mental exam, **28 USCS 454, PC §182(a)(3)(5),** knowing the mental distress cause of action was dismissed. This type of governmental interference was prohibited in **Feuntes** at 407 U.S. at 81. Hernandez did not follow statute re doctor, time, and a different doctor, Dr.Hoppe, whom had not been approved by the court nor were we privy to his curriculum vitae, contrary to **Feuntes** at 407 U.S. at 82. This alleged requirement for a mental exam was a cruel display of judicial misconduct and deceit. App 32, Order granting terminating sanctions, CTV 12 002604, signed **Oct 20, 1997,** proof of service, CTV12 002610 mailed **Oct 16, 1997."** The lower court abused its discretion by issuing an arbitrary, capricious and malicious discovery order; then dismissed Petitioner's case in violation of due process of law. **Jones v. Otero** 156 Cal. App.3d 754; 203 Cal.Rptr. 90 (1984); **U.S. Constitution 14th Amendment; CCP §§ 1005 and 1010. Defendants did not file verified answer to verified complaint Therefore, under C.C.P. § 446, the state courts lacked jurisdiction. U.S. vs. $84,0740.00 Dollars** 900F.2d 1348, 1349 (9th Cir.). In LASC Central, **ALL CCP §170(s)** disqualifications have to be filed with trial court. **Review** Should be Granted to supervise, settle and or resolve the departure from Federal Court rulings by state courts.

Within Petition for Writ of Mandate, CA 2d App. Dist., Div. 5., No. B131529, is a copy of the Apr 19, 1999 filed "Disqualification of Judge Alan G. Buckner for Bias and Prejudice [**C.C.P. §170.6, §170.6(1) § 170.6(2)**]; Violations of U.S. Const. and CA Const. The April 21, 1999 Order Striking Statement of Disqualification [**CCP §170.4(b)**], is App 23. The constitution violations were addressed in the lower courts. Judge Buckner's order was inconsistent with **Catchpole v. Brannon** 36 C.A. 4th 237.

Judge Buckner threatened to incarcerate the petitioner, Rule 104, if she accused WFCU, its attys, employees, or agents of fraud or perjury, only the fraud cause of action was left. **Kennick v. Superior Court** 736 F2d 1277 at 1280. Judge Buckner said I would walk in one way, and be carted out the other. The petitioner asked for sanctions for Hernandez committing perjury in his documents. Hernandez told Judge Buckner, I accused him of perjury and the judge ordered I pay sanctions for Hernandez' perjury, exhibiting bias and **Canon 3B(2)**. LASC Dept. 14 has been a cruel experience in travesties of justice. The state courts abused its discretion and its duty by failing to enforce the law to issue a Petition for Review order to protect and preserve Petitioner's right to due process of law? (denied access to court and due process); by determining the writ a non-operative) SC049544. Denied indigent female access to the courts, and due process.

CTV 12 beginning at 002564, Notice of Motion ...to Set aside Judgment and Enter a ... Different Judgment; and or ... Reconsideration; Affidavit... [**CCP 416.10(B); 446, 663, 1008(A)(E), 209, 2017(C), 2032(C)(D)(1)(2)(F), CC 3517, U.S. Const. under the Ninth and 14th Amend..Calif Const. Art. I,§ 1; 28 USCS 454 and FRCivP.35(b)**. CTV12 beginning with 002689, "Plaintiffs' Reply to Plaintiffs' Motion to Vacate ... and enter a New and Different Judgment..." Hernandez's failure to oppose voided Judge Buckner's jurisdiction, and by law the Motion to Vacate and enter New Judgment... should be granted Judge

Buckner abused his discretion by denying motion to set aside judgement and enter a new and different judgment.... **Pittsworth v. Chaffin,** 741 SW2d 314, 317. **Sheldon v. Landwohr** 159 Cal. 778 781. Review should be granted for This Court to explain, settle or supervise and explain the application of procedural and substantive due process requirements as they pertain to the Motion to set aside judgment ...**Flood vs. Templeton** 152 C. 148, 156, allows a new cause of action based upon fraud.

REASONS FOR GRANTING CERTIORARI

THE WRIT OF CERTIORARI SHOULD BE GRANTED as the Jurisdictional Questions Raise Numerous Important Questions of Law that received conflicting answers in the lower courts warranting this Court's review. Petitioner's allegations are sufficient in law. The lower courts erred, abused its discretion, consistently lacked and exceeded its jurisdiction. To correct the multiple travesties of justice, violations of United States and Calif Constitutional rights to own property and be safe and secure in her home with her papers and personal property. Mostly important is not only the Petitioner, but the thousands + that have been defrauded of their real and personal property that had no other plain, speedy, or adequate remedy of law, that somehow this case and the wilful, malicious and criminal abuse bestowed upon Petitioner by the Courts, Respondents, their Attorneys and employees will set a precedent for those people to be restored their real and personal property too, and deter future defraudations of real and personal property and for all people to be safe and secure in their homes. **Justice** in this case is proper for the exercise of the **Magnificent United States Supreme Court!**

CONCLUSION

Judge Buckner erred, abused his discretion exceeded his jurisdiction, exhibited cruel and bias acts towards Petitioner. Respondents' failure to verify under CCP §446, and §2009 denied Judge Buckner jurisdiction in BC106025 c/w BC143489. **U.S. v. $84,740.00 Dollars**, 900 F2d 1402 (9th Cir. 1990). Sustaining

untimely notice(s) denied Judge Buckner jurisdiction in **SC049544**. **Gilbert v Superior Court(1985)** 169 Cal.App.3d 148, 2125 Cal Rptr 305. **Catchpole v. Brannon** 36 C.A.4th 237 Note 4. **All of Judge Buckner's order(s) must be reversed!** Judge Buckner's only jurisdiction is recusal pursuant to 170.6, his failure to have done so was erroroneous. **T.P.B., Jr. v. Superior Court for Alameda County**, 136 Cal.Rptr. 311(1977). **Retes v. Superior Court,** 176 Cal.Rptr 160, 122 C.A.3d 799.

WHEREFORE, Petitioner prays **Certiorari** is granted, this Esteemed Court issues orders remanding and vacating all court orders issued or entered by Judge Buckner and any subsequent orders and judgments are null and void. **Retes v. Superior Court,** 176 Cal.Rptr. 160, 122 C.A.3d 799 and **Eagle Maintenance and Supply Co. v Sup. Ct. of Los Angeles**, 196 Cal.App.2d 692, 16 Cal.Rptr 745 (1961). Judge Kakita's order granting title and possession of my condo to WFCU is reversed, defaults and default judgments are entered against respondents who failed to answer within 30 days; title and possession to Petitioner's condo and her personal property are immediately restored and returned at Respondents' expense. WFCU returns my $3,636.00 they embezzled + interest, the $7,200.00 + interest accepted for rental during appeal and never credited to mortgage, all rent money collected on Petitioner's condo + interest; and treble daily damages in which she is entitled. The case is transferred to LASC West. Reinstate all defaults and default judgments in BC106025, BC143489, SC049544, **Remove the Wire tap 18 USCS 1343,** from my telephone, whatever else is deemed fair and just.

VERIFICATION: I am the Petitioner. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true. **Prayerfully submitted** this 18th day of January 2000, the year of our Lord!

Audriane Norwood

AUDRIANE NORWOOD, In Propria Persona

NO.
IN THE

SUPREME COURT OF THE UNITED STATES

AUDRIANNE NORWOOD,

Petitioner

v.

WESTERN FEDERAL CREDIT UNION;
FIRST INDEPENDENT TRUST DEED SERVICE,

Respondents

APPENDIX TO
PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEAL OF THE
STATE OF CALIFORNIA SECOND APPELLATE DISTRICT
DIVISIONS 5 AND 7

AUDRIANNE NORWOOD
In Propria Persona
P. O. Box 996
Beverly Hills, CA 90213-0996
323-549-0730

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Second Appellate District, Division Five, No. B131457
S080843

IN THE SUPREME COURT OF CALIFORNIA

SUPREME COURT

AUDRIANNE NORWOOD, Appellant

FILED

v.

SEP - 1 1999

Robert Wandruff Clerk

WESTERN FEDERAL CREDIT UNION Et Al., Respondents s/

Deputy

Appellant's petition for review DENIED.

s/
Chief Justice

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION: 5

DATE: July 9, 1999

AUDRIANNE Norwood
P. O. Box 996
Beverly Hills, CA 90213-0996

Audrianne Norwood
v.
Load Lock-N-Roll, Inc.

B131457
Los Angeles County No. SC049544

THE COURT:

Application to set aside dismissal denied. Application to stay issuance of remittitur denied.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA FILED JUN 11 1999
SECOND APPELLATE DISTRICT
DIVISION: FIVE /s/ Clerk

Deputy Clerk

AUDRIANNE NORWOOD
Plaintiff and Appellant,
v.
WESTERN FEDERAL CREDIT UNION et al.,
Defendants and Respondents.

B131457
(Super. Ct. No. SC049544)
ORDERS DISMISSING APPEAL AND GRANTING JUDICIAL NOTICE REQUEST

Defendants, Western Federal Credit Union, First Independent Trust Deed Services, and Ed Campana, have moved to dismiss the purported appeal of plaintiff, Audrianne Norwood. Defendants argue that no written judgment has been entered after a demurrer to plaintiff's complaint was sustained with leave to amend on April 9, 1999. We agree with defendants that such an order is not appealable.(Code Civ.Proc., §904.1; Otworth v. Southern Pac. Transportation Co. (1985) 166 Cal.App.3d 452, 457; Jeffers v. Screen Extras Guild, Inc. (1951) 107 Cal.App.2d 253, 254.) We grant judicial notice requests which all involve court documents. (Evid.

Code, § 459, subd. (a); Asgari v. City of Los Angeles (1997) 15 Cal.4th 744, 751, fn. 2; Castro v. State of California (1970) 2 Cal.3d 223, 239 & fn. 29.)

The appeal is dismissed. Defendants, Western Federal Credit Union, First Independent Trust Deed Services, and Ed Campana, shall recover

their costs incurred on appeal from plaintiff, Audrianne Norwood.

TURNER, P.J. WISEMAN, J.*

* Judge of Los Angeles County Municipal Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
Court of Appeal - Second District

SECOND APPELLATE DISTRICT

FILED
May 25 1999
JOSEPH CLERK

DIVISION: FIVE

Z. HERALDEZ
DEPUTY CLERK

AUDRIANNE NORWOOD

B131457

Plaintiff and Appellant,

(Super. Ct. No. SC049544)

v.

O R D E R

LOAD LOCK-N-ROLL, INC. et al.,

Defendants and Respondents.

THE COURT:

Plaintiff shall have 10 days to produce a signed judgment. Defendant shall have 10 days to submit under oath proof no judgment has been filed.

TURNER P.J.
PAUL TURNER, PRESIDING JUSTICE

SUPERIOR COURT OF CALIF., COUNTY OF LOS ANGELES
DATE: 04/09/99 DEPT. 14
HON. ALAN G. BUCKNER JUDGE J. LORENZ DEPUTY CLERK
P. CORTEZ, CAL.CLK.
HON.JUDGE PROTEM ELECTRONIC RECORDING MONITOR
B. BELL, CSL Deputy Sheriff J. STEPHENS REPORTER
---------- 9:00 AM BC106025 Plaintiff AUDRIANNE NORWOOD (x) x Counsel IN PRO PER
AUDRIANNE NORWOOD VS
FIRST INDEPENDENT Defendant MARTIN L. GRAYSON (x)
TRUST DEED SERVICE Counsel STEVEN R. YEE (x)
r/t BC172608 R/T SC049544
C/W BC143489

NATURE OF PROCEEDINGS: [writen on side of document "These were heard for SC049544 not BC106025]

DEMURRER OF DEFENDANTS PATRICIA JONSE AND 1827 GREENFIELD HOMEOWNERS ASSOCIATION, INC. TO FIRST AMENDED COMPLAINT;
MOTION OF ABOVE TO STRIKE FIRST AMENDED COMPLAINT;

DEMURRER OF DEFENDANTS LOAD LOCK N ROLL, INC., DON DEAN AND MIKE GALAM TO FIRST AMENDED VERIFIED COMPLAINT;

MOTION OF ABOVE TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT
Cause called for hearing on Demurrers of defendants to First Amended Complaint.

The Court, having read and considered the moving documents and there being no timely opposition filed, sustains the demurrers with 20 days leave to amend.

The Motions to strike are placed off calendar.
Counsel for defendants are instructed to investigate whether or not plaintiff Audrianne Norwood, should be considered a vexatious litigant.
Counsel for defendant to provide notice.

MINUTES ENTERED
4/09/99
Page 1 of 1 DEPT. 14 COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 04/09/99 DEPT. 14
HON. ALAN G. BUCKNER JUDGE J. LORENZ DEPUTY CLERK
P. CORTEZ, CAL. CLK.
HON. JUDGE PROTEM ELECTRONIC RECORDING MONITOR
B. BELL, CSL Deputy Sheriff J. STEPHENS REPORTER

9:00 AM SC049544 Plaintiff
Counsel
AUDRIANNE NORWOOD
VS
FERNS AND FERNS, ET AL

NATURE OF PROCEEDINGS:

DEMURRER OF DEFENDANTS WESTERN FEDERAL CREDIT UNION, FIRST INDEPENDENT TRUST DEED SERVICES, AND ED CAMPANA TO FIRST AMENDED COMPLAINT;MOTION OF ABOVE TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT;

[seal] SUPERIOR COURT, LOS ANGELES COUNTY CALIFORNIA

THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

ATTEST APR 09 1999
/s/
Executive Officer/Clerk of the Superior
Court of California, County of Los Angeles

By /s/ ,Deputy
B. RHODES

MINUTES ENTERED
4/09/99
COUNTY CLERK

Page 1 of 1 DEPT.14

SC049544, Judge Buckner, presiding LASC Dept.14.

A portion of the transcript of the April 9, 1999 hearing,
page 11, line 11

The Court: Gentlemen, you are, and each of you is, ordered forthwith to determine whether Ms. Norwood is or should be declared to be a vexatious litigant. If in your judgment she ought to be so declared, but has not been, you're **ORDERED** to file the appropriate motion within one week from this day.

Jesse S. Hernandez (Bar No 92708), Steven R. Yee (Bar No. 155671)
Anderson, McPharlin & Conners LLp, One Wilshire Building
624 South Grand Avenue, 19th Floor
Los Angeles, CA 90017-3320
Telephone 213-688-0080, Facsimile 213-622-7594

Attorneys for Defendants Western Federal Credit Union, First Independent Trust Deed Services, and Ed Campana

Superior court of the State of California
For the County of Los Angeles
Case No. SC 049544 (Related to BC 196925)
Assigned for All Purposes to the Honorable Alan G. Buckner

Notice of Ruling on Defendants' Demurrers to Plaintiff's First Amended Complaint and on Defendants' Motion to Strike

Date: April 9, 1999, Time: 9:00 a.m. Dept. 14, Discovery Cutoff: None Set, Motion Cutoff: None Set, Trial Date: None Set
[document on pleading paper, double space with parties names]

PLEASE TAKE NOTICE that (1) defendants WESTERN FEDERAL CREDIT UNION, FIRST INDEPENDENT TRUST DEED SERVICES, AND ED CAMPANA's (hereinafter collectively "Western") demurrer to plaintiff AUDRIANNE NORWOOD'S (hereinafter "plaintiff") first amended complaint, (2) Western's motion to strike portions of the first amended complaint, (3) defendants LOAD LOCK-N-ROLL, INC., DON DEAN, and MIKE GALAM's (hereinafter collectively "Load") demurrer to the first amended complaint and 4) Load's motion to strike portions of the first

amended complaint all came on regularly for hearing on April 9, 1999 at 9:00 a.m. in Department 14 of the above-entitled Court, the Honorable Alan Buckner presiding. Steven R. Yee appeared on behalf of Western; plaintiff appeared in pro per; and MARTIN L. Grayson appeared on behalf of Load. There were no other appearances.

Please Take Further Notice that after considering the moving papers and given the facts that there was no timely opposition papers filed, the above-entitled Court sustained Western's and Load's demurrers with 20 days' leave to amend. Plaintiff is accordingly ordered to file and serve a second amended complaint by no later than April 29,1999. Please Take Further Notice that in light of the ruling on the demurrers, Western's and Load's motions to strike were taken off calendar as being moot.

DATED: Apr 19, 1999 ANDERSON McPHARLIN & CONNERS LLP

By: /s/_____
STEVEN Y. YEE
Attorneys for Defendants WESTERN FEDERAL CREDIT UNION, FIRST INDEPENDENT TRUST DEED SERVICES, AND ED CAMPANA

Second Appellate District, Division Seven, No. B118993
S079049

IN THE SUPREME COURT OF CALIFORNIA

SUPREME COURT

AUDRIANNE NORWOOD, Appellant

FILED

JUN - 30 1999

v.

/s/
DEPUTY

WESTERN FEDERAL CREDIT UNION Et Al., Respondents

Appellant's petition for review DENIED.

s/
Chief Justice

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SEVEN

AUDRIANNE NORWOOD
Plaintiff and Appellant,

v.

WESTERN FEDERAL SECOND DIST. CREDIT UNION et al.,

NO.B118993
(Super. Ct. No. BC106025) consolidated with BC143489)
Los Angeles County
ORDER

COURT OF APPEAL - SECOND DIST.

F I L E D
APR 5 1999

/s/ Clerk
Deputy Clerk

THE COURT:*

The Court has read and considered respondent's Motion To Dismiss and Request for Judicial Notice filed February 23, 1999. The Court has also read and considered appellant's Opposition filed March 10, 1999, appellant's Amended Opposition filed March 16, 1999, and appellant's Third Opposition filed March 18, 1999, and the requests for judicial notice attending each opposition. Good cause appearing therefor,

IT IS HEREBY ORDERED THAT appellant's and respondent's requests for judicial are granted. Respondent's Motion To Dismiss is granted. The appeals herein (both notices of appeal filed January 7, 1998) are dismissed.

*LILLIE, P.J. WOODS, J. NEAL, J.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
JOSEPH A. LANE, CLERK
DIVISION 7

Los Angeles County Superior Court
111 North Hill Street
Los Angeles, CA 90012

NORWOOD, AUDRIANNE
Plaintiff and Appellant
v.
WESTERN FEDERAL CREDIT UNION
Defendant-Respondent
B118993
Los Angeles County NO. BC106025

REMITTITUR

I, Joseph A. Lane, Clerk of the Court of Appeal of the State of California, for the Second Appellate District, do hereby certify that the attached is a true and correct copy of the original order, opinion or decision entered in the above-entitled cause on April 5, 1999 and that this order, opinion or decision has now become final.

Respondent to recover costs on appeal.

Witness my hand and the seal of the Court affixed at my office this

JUL 29 1999
Joseph A. Lane, Clerk
by:_____
Deputy Clerk

cc: All Counsel
File

BC 106025 [c/w BC 143489] Order Granting ... Terminating Sanctions and Judgment of Dismissal, Oct 14, 1997, 9:00 a.m., Dept 14 Hon. Alan G. Buckner **signed Oct 20, proof of service mailed Oct 16. CT Vol 12 002610** [prepared by **Respondents attys** Anderson, McPharlin CT Vol. 12 002604]

On October 14, 1997 at 9:00 a.m. in Department 14 of the above-referenced Court located at 111 North Hill Street, Los Angeles, California, the Honorable Alan G. Buckner presiding, the motion of defendant Western Federal Credit Union ("WESTERN FEDERAL") for terminating sanctions against Audrianne Norwood ("NORWOOD") on her consolidated complaints came on regularly for hearing. The plaintiff appeared in propria persona. Carleton R. Burch of the law firm of Anderson, McPharlin & Conners, LLP appeared on behalf of the moving party, WESTERN FEDERAL.

After full consideration of the papers in support of and in opposition to the motion and the files and records in this action and the arguments of plaintiff and those advanced on behalf of WESTERN FEDERAL, the Court grants the motion and orders the plaintiff's action terminated forthwith.

In reaching this decision, the Court makes the following factual findings:

Plaintiff's discovery abuses and failure to comply with law and motion practice and procedure have a long history. On February 27, 1997, a Motion to Compel responses by NORWOOD was heard. On the day of the hearing, Ms. NORWOOD provided a combined response to discovery outstanding at that time. The Court retrained from ruling on the Motion to Compel and directed counsel to review and assess the adequacy of the responses. Because the trial was then scheduled to commence on April 28, 1997, the Court ruled that the defendant was entitled to apply to the Court ex parte, for further relief if the responses were inadequate.

On February 28, 1997, notice was given of an ex parte Application to Compel Responses to be heard on Monday, March 3, 1997.

On March 3, 1997, defendant's Application was granted by the Court. Ms. NORWOOD was directed to provide responses and further responses on March 6, 1997, when she appeared for her deposition.

When Ms. NORWOOD appeared on March 6, 1997, her responses were again inadequate. Therefore, on March 7, 1997, notice was given of yet another ex parte Application to be heard on March 10, 1997. This Application sought orders continuing trial and compelling responses to discovery. Continuance was sought based upon prejudice to the defendant in being deprived of proper discovery responses.

On March 10, 1997, defendant's Application was granted by the Court and the trial was continued to August 18, 1997. Ms. NORWOOD was also ordered to provide complete responses to Form Interrogatories. The Notice of Ruling was filed and served on March 19, 1997. Ms. NORWOOD provided further responses in April, but they in large part simply repeated her earlier responses.

NORWOOD has wilfully disobeyed the orders of this Court, including:

1. The Court's order of August 28, 1997, compelling her to submit to a mental examination.
2. The Court's orders of March 3, and March 10, 1997, that she completely respond to discovery;
3. The Court's order of May 15, 1997, that plaintiff cease and desist from raising **fraud and perjury** when presenting argument on motions not related to those issues;
4. The Court's order that the plaintiff cease and desist from making gratuitous ad hominem comments to counsel for WESTERN FEDERAL and to this Court. In particular Ms.

NORWOOD has ignored, not only the requirements of the Code of Civil Procedure, California Rules of Court and local Court Rules on discovery, and law and motion practice, but flagrantly and willfully violated this honorable Court's orders.

Most recently, this Court ordered the plaintiff to submit to a mental examination pursuant to CCP § 2032. The examination was set for September 19, 1997. WESTERN FEDERAL prepared for the examination, and incurred the expense of paying the examining professionals to reserve a block of time for this examination. The plaintiff chose not to appear, and failed to warn counsel for WESTERN FEDERAL, causing WESTERN FEDERAL to incur considerable expense. On September 19, 1997, after plaintiff's non-appearance, WESTERN FEDERAL gave notice of an ex parte application for an order setting a hearing date on a motion for sanctions for violation of the Court's order. On September 19, 1997, plaintiff filed with the Court of Appeal what she styled a Petition for Writ of Mandate. On the morning of September 22, 1997, Ms. NORWOOD served WESTERN FEDERAL with the same. Her filing and service of this "Petition" is further evidence of the willfulness of her disobedience of this Court's order.

This Court has already ordered monetary sanctions and evidentiary preclusions against Ms. NORWOOD. Monetary sanctions are ineffectual in that Ms. NORWOOD is proceeding in forma pauperis. An evidentiary sanction against the plaintiff for her failure to provide the court-ordered mental examination will not suffice because it deprives WESTERN FEDERAL and the Court of the information sought by the examination, i.e., the plaintiff's mental state.

This Court finds that it is without further recourse at this point in light of Ms. NORWOOD's history of repeated and wilful violations of the Code, and this Court's orders. Imposition of a lesser sanction than termination would allow the plaintiff to profit from her own abusive misconduct. It is clear that she should not be allowed to subvert the discovery and trial process in this

fashion. Accordingly, having shown that NORWOOD violated this Court's order, and did so wilfully, WESTERN FEDERAL is entitled to the requested sanction award, termination of this case.

NORWOOD has manifested an unwillingness and inability to comply with the orderly litigation of this case and to comply with this Court's orders relating to the litigation and the enforcement of the Discovery Act. Her willful disobedience of the Discovery Act and the orders of this Court subvert the integrity of the discovery process and threaten the orderly proceedings of this Court. In light of the fact that monetary sanctions have no deterrence on her, and the fact that evidentiary sanctions will not remedy the inability of the parties and this Court to test her mental and emotional state for purposes of examining her emotional distress damage claims and assessing her mental and emotional competence, the Court finds that it has no choice but to enter an order terminating the plaintiff's case. The plaintiff has made it clear that she does not appreciate the gravity of her obligations under the Code of Civil Procedure to comply with this Court's orders and to provide discovery under the Code. It thus finds as a factual matter that the Court has no recourse but to terminate this action.

This Court has indulged the plaintiff at length. It has informed her on numerous occasions of her obligations under the Code and the fact that she would be better served if she were to retain competent counsel to represent her in this litigation. Instead, she simply disregards this Court's powers to control the parties and attorneys who are engaged in litigation before it. NORWOOD exhibits the attitude that she need not comply with orders that in her view "wrong" and has conferred upon herself the power to decide "right" and "wrong".

Indeed, based upon the plaintiff's conduct in this case, the Court has genuine doubts as to the emotional instability as manifested throughout this case and has caused the Court to have grave doubts as to her ability to represent herself in this case at trial without giving rise to a mistrial.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDICATED AND DECREED THAT:

1. WESTERN FEDERAL's motion is granted;
2. The plaintiff's action is ordered dismissed;
3. A judgment of dismissal against the plaintiff on her consolidated complaints and in favor of WESTERN FEDERAL is ordered to be entered and is hereby so entered; and
4. WESTERN FEDERAL shall recover costs per law.

DATED: OCT 20 1997 /s/_____
Honorable Alan G. Buckner
Judge of the Superior Court

Order Denying Plaintiff's Motion for Reconsideration of Order Granting Terminating Sanctions Dec 3, 1997 9:00 a.m. Dept 14, prepared by Respondents' attys, Anderson, McPharlin & Conners LLP

The motion of plaintiff AUDRIANNE NORWOOD for Reconsideration of the Order Granting Terminating sanctions came regularly for hearing by the court on December 3, 1997, in Department 14 of the Los Angeles, Superior court, the Honorable Alan G. Buckner, Judge, presiding.

Plaintiff AUDRIANNE NORWOOD appeared on her own behalf in propria persona; Jesse S. Hernandez of Anderson, McPharlin & Conners LLP appeared on behalf of defendants WESTERN FEDERAL CREDIT UNION and FIRST INDEPENDENT TRUST DEED SERVICES. After considering the moving and opposing papers, and the argument of counsel, the court rules as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the motion of plaintiff AUDRIANNE NORWOOD for reconsideration of the order granting terminating sanctions is denied; defendant's request for sanctions is also denied.

DATED: 12-22-97 /s/_____

Second Appellate District, Division Five, No. B131529
S079560

IN THE SUPREME COURT OF CALIFORNIA

SUPREME COURT

FILED

JUL 14 1999

/s/

Deputy

AUDRIANNE NORWOOD, Petitioner

v.

LOS ANGELES COUNTY SUPERIOR COURT, Respondent

LOAD LOCK N ROLL, Real Party In Interest

Appellant's petition for review DENIED.

s/

Chief Justice

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
JOSEPH A. LANE, CLERK

DIVISION 5

DATE: May 18, 1999

Aurianne Norwood
P.O. Box 996
Beverly Hills, CA 90213-0996

Aurianne Norwood
v.
L.A.C.S.C.
111 North Hill Street

B131529
Los Angeles County No. SC049544

THE COURT:

Petitioner's Application for Waiver of Court Fees and Costs filed May 13, 1999, is denied; notice not executed under penalty of perjury.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
Court of Appeal - Second District COURT OF APPEAL-SECOND DIST.

SECOND APPELLATE DISTRICT FILED

MAY 11 1999

DIVISION: FIVE /s/ CLERK

/s/

DEPUTY CLERK

AUDRIANNE NORWOOD B131529

Plaintiff and Appellant, (Super. Ct. No. SC049544)

v. (Alan G. Buckner, Judge)

THE SUPERIOR COURT OF LOS ANGELES COUNTY,

Respondent.

LOAD LOCK-N-ROLL, INC. et al.,

Real Parties in Interest. O R D E R

Petitioner's amended application for a waiver of court fees and costs, filed May 10, 1999, is denied. Petitioner has failed to complete the "expense" portion of the application. Petitioner must submit a completed application or pay the applicable filing fee by May 16, 1999, or the petition for writ of mandate will be subject to dismissal.

/S

PAUL TURNER, PRESIDING JUSTICE

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
JOSEPH A. LANE, CLERK

DIVISION 5

DATE: May 7, 1999

Aurianne Norwood
P.O. Box 996
Beverly Hills, CA 90213-0996

Aurianne Norwood
v.
S.C.L.A.
Load Lock-N-Roll, Inc.

B131529
Los Angeles County No. SC049544

THE COURT:

Petitioner's Application for Waiver of Court Fees and Costs filed May 13, 1999, is denied. Petitioner has failed to complete the expense portion of the application.

AUDRIANNE NORWOOD

Case No. SC 049544

Plaintiff,

v.

ORDER STRIKING STATEMENT OF DISQUALIFICATION
[CCP § 170.4(b)]

LOAD LOCK-N-ROLL, INC. et al.,

Defendant.

Having read and considered the "Affidavit of Prejudice [under] CCP § 170.1, For Cause" filed 19 April 1999 by plaintiff in the above-captione matter, the Court now orders the same stricken pursuant to CCP § 170.4 subd. (b), on the ground and for the reason that on its face, such Affidav discloses no legal ground for disqualification under CCP § 170.1.

SO ORDERED.

Clerk of Court to give notice.

Dated: 21 April 1999

/s/
ALAN G. BUCKNER
Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
DATE: 01/31/97 DEPT. 14
HONORABLE ALAN G. BUCKNER JUDGE K. GEORGE DEPUTY CLERK
HONORABLE JUDGE PROTEM ELECTRONIC RECORDING MONITOR
G. RODRIGUEZ, CSL Deputy Sheriff C. ELKINS REPORTER
9:00 AM BC106025 Plaintiff IN PRO PER (X)
Counsel
AUDRIANNE NORWOOD Defendant Anderson, Mcpharlin
VS Counsel By: Jesse Hernandez(X)
FIRST INDEPENDENT TRUST DEED SERVICE C/W BC143489

NATURE OF PROCEEDINGS:

Motion by defendants, Western Federal Credit Union and First Independent Trust Deed Service, for Summary Judgment or, in the alternative, for Summary Adjudication of Issues (Cf 1-30-97);

Matter is called for hearing and argued.

Motion is granted as to Defendant First Independent Trust Deed Service only. Motion is denied as to Defendant Western Federal Credit Union.

The Court finds a triable issue of fact remains as to whether the stay order was violated. Further findings and grounds are reflected in the notes of the official court reporter, incorporated herein by reference.

On the Court's own motion, this action is ordered consolidated with BC143489 for all further proceedings. Case No. BC106025 is the lead case number.

MINUTES ENTERED
01/31/97
DEPT. 14 COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
DATE: 01/31/97 DEPT. 14
HONORABLE ALAN G. BUCKNER JUDGE K. GEORGE DEPUTY CLERK
HONORABLE JUDGE PROTEM ELECTRONIC RECORDING MONITOR
G. RODRIGUEZ, CSL DEPURTY SHERIFF C. ELKINS REPORTER

9:00 AM BC106025 Plaintiff IN PRO PER (X)
AUDRIANNE NORWOOD Counsel
VS Defendant Anderson, Mcpharlin
FIRST INDEPENDENT TRUST DEED SERVICE
C/W BC143489 Counsel By: JesseHernandez(X)

NATURE OF PROCEEDINGS:

Cause is set for Jury Trial on APRIL 28, 1997, at 10:30 A.M. in this department. Time estimate for same is 4 days.

A joint Final Status/Mandatory Settlement Conference is set for APRIL 18, 1997, at 9:30 a.m. in this department.

The deposition of plaintiff is scheduled for February 22, 1997, at 9:30 a.m. at the offices of counsel for the defendant located at 624 S. Grand Ave., Ste. 1900, Los Angeles, CA. Such deposition shall be video-taped with defendant to provide a copy of such tape to the plaintiff at no cost.

Counsel for defendant is to give notice and to prepare a proposed order, lodging the same in this department for signature.

MINUTES ENTERED
01/31/97
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
DATE: 05/30/96 DEPT. 14
HONORABLE SHERRILL D. LUKE JUDGE L. McGHEE DEPUTY CLERK
HONORABLE JUDGE PROTEM#5 ELECTRONIC RECORDING MONITOR
S. ZUCKERMAN, CA Deputy Sheriff L. COMSTOCK REPORTER

9:05 AM BC106025 Plaintiff Counsel AUDRIANNE NORWOOD (X)
AUDRIANNE NORWOOD
VS Defendant
FIRST INDEPENDENT TRUST DEED SERVICE
Counsel Jesse S.Hernandez(X)

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NATURE OF PROCEEDINGS:
DEMURRER BY DEFENDANTS, WESTERN FEDERAL CREDIT UNION AND FIRST INDEPENDENT TRUST DEED SERVICE, TO FIRST AMENDED COMPLAINT;
EX PARTE APPLICATION OF PLAINTIFF, AUDRIANNE NORWOOD, FOR AN ORDER SHORTENING TIME ON MOTION TO AMEND FIRST AMENDED COMPLAINT AND TO CONSOLIDATE WITH CASE NO. BC143489;

The matters are called for hearing.

The Court indicates its tentative decision and allows argument.

The demurrer is SUSTAINED WITH LEAVE TO AMEND as to 1st, 2nd, 3rd, 5th and 7th causes of action only.

The plaintiff is ordered to serve and file a Second-Amended Complaint by 7-15-96. **The defendant is ordered to serve and file a responsive pleading by 8-05-96.**

The Court DENIES the plaintiff's ex parte application in its entirety. Defendant to give notice.

MINUTES ENTERED
5/30/96
COUNTY CLERK

Page 1 of___ DEPT. 14

LASC Dept. 14, Nov 7, 1995, 9:00 a.m., Judge Edward Y. Kakita signed Ragland's prepared order Setting Aside Default and Default Judgment, Nov 17, 1995, M. Carmen Garcia's proof of service declared she mailed the order Nov. 8, 1995, 9 days prior to issuance. CTV 12 p. 0000278

The Motion to Set aside Default and Default Judgment came upon shortened notice for hearing on November 7, 1995 before the Honorable Edward Kakita in Department 14 of the Los Angeles Superior Court. AUDRIANNE NORWOOD, Plaintiff herein appeared on her own behalf. Karen A. Ragland of FERNS & FERNS, attorneys at Law appeared on behalf of Defendant(s), WESTERN FEDERAL CREDIT UNION and FIRST INDEPENDENT T.D. SERVICE.

The Court, having considered the Motion, pleadings, evidence and oral argument advanced by both parties, made its' Order as follows:

IT IS HEREBY ORDERED that the Default entered on July 12, 1995 against Defendant(s) is vacated due to improper service;

It is FURTHER ORDERED that the default Judgment entered on October 2, 1995 against Defendant(s) is hereby vacated;

It is FURTHER ORDERED that the Plaintiff shall re-serve the Defendant(s) with the Summons and First Amended Complaint in accordance with California Code of civil Procedure Section 416.10 by means of a registered process server and/or sheriff from Los Angeles County;

It is FURTHER ORDERED that title and possession of the real property commonly known as 1827 Greenfield, Unit #101, Los Angeles, California be restored to Defendant WESTERN FEDERAL CREDIT UNION immediately;

It is FURTHER ORDERED that the request for sanctions against plaintiff is denied.

DATED: Nov 17 1995 /s/_____

Edward Y. Kakita,
SUPERIOR COURT JUDGE

A portion of the Jan 30, 31, Jun 27, May 15, Mar 3, 1997 transcript beginning at page 39; and other court documents.

Petitioner: "That -- the reason why we couldn't find the Exhibits, the caption was wrong. That was BC143489. The Court: That's not the problem. The Plaintiff: Right. But you said that you didn't have the evidence, but the evidence is in BC143489. The Court: Ma'am, I looked at those documents. They're attached to your Separate Statement, are they not? The Plaintiff: Right, in BC143489. The Court: I ruled on that yesterday and I am not going to treat this as a Motion for Reconsideration. I ruled on that and now we're about to deal with the motions that have come on for hearing today. The Plaintiff: But what I am trying to explain, you ruled on BC - 025. We weren't on - 489. We were on the BC -- 025.

Page 62 beginning with line 18. Mr. Hernandez: Your Honor, there is no disputed facts with regard to the Defendant First Independent Trust Deed Service having conducted the foreclosure sale and the -- all of the facts that were laid out as far as steps A through Z in conducting that foreclosure sale in supporting the declaration of Leslie Leggitt were absolutely uncontroverted by anything that Ms. Norwood submitted to the court either by her argument or otherwise. There's absolutely no reason to keep First Independent Trust Deed Service in on this case because if you look at the declaration of Leslie Leggitt, every single step of the foreclosure procedure was set forth. She specifically stated in her declaration that First Independent had no involvement once the foreclosure was completed and followed the instructions of Western Federal the entire step of the way -- The Court: Slow down. Mr. Hernandez: The Notice of Default, the Notice of Sale, The Notice of publication, and then the Trustee's deed upon sale, every single step was complied with and nothing has been submitted to this Court to show that anything is different. The Court: All right. Mr. Hernandez: The fraud cause of action is not the same as the fraud cause of action for concealment of her personal belongings. The foreclosure went forward. There were no misstatements from Mr. Farashian. So

in the lower numbered case we are entitled to summary judgment as a matter of law, your honor -- The Court: All Right. Mr. Hernandez: -- As to that defendant only. The Plaintiff: Well, **they didn't go by the law**.

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LASC Central Dept 14, Judge Buckner
Portions of transcripts, **Case No. BC106025**

P 3, lines 5-8 of 6-27-97 transcript "The Court: That's your problem, ma'am. With the very greatest respect, it's not Mr. Hernandez's responsibility **or the court's responsibility to think of how YOUR INTERESTS** are best protected." P. 4, lines 26-28 of 6-27-97 transcript, "**I am going to order a mental competency examination** ...P. 16 lines 2-4, "...The **defendant will file and serve a section 2032 motion for an order requiring plaintiff's mental examination.**" P. 5, lines 14-17 of 6-27-97, "By an order dated 15 May 1997 the Court advised you, Ms. Norwood, that **you were not to file any documents accusing parties in this action of perjury or of falsifying documents**..." P.6, lines 1-4, and lines 12-14 of 5-15-97 transcript, Judge Buckner threatens. "The Court: Stop. I am going to make an order right now, Ms. Norwood: **The next time that you file a document with this court charging someone with perjury I am going to have you incarcerated.**" P.6 lines 12-14 of 5-15-97 transcript, "...This is the predicate of an order of contempt which will wind you up at the **Sybil Brand Institute** [a prison] Madam..." P.6, lines 22-28 of 5-15-97 transcript, "Now, a separately filed document is entitled "Request for $1,500 in sanctions against defendant Western Federal Credit Union for Offering false loan documents into evidence." I have heard that before too. Same order applies, Ms. Norwood, Never again until the date trial starts. Is that clear?" P. 20, lines 23-26 of 3-3-97 Transcript, "The Court: I told you before. Now, if it happens again, Ma'am, I am going to have to jail you because you don't have any money. So the only remedy I have is to put you in custody..." P. 32, lines 6-12 of 3-3-97 transcript, "The Plaintiff: Because I've been stalked night and day. I -- I've been like subjected to car accidents two or three times a day every day for the last three or four years. The Court: You have had two or

three car accidents a day for four years? The Plaintiff: Attempted staged accidents." P. 11, lines 2-8, of 6-27-97 transcript "You have told this court on the record that the defendant is stalking you, that the defendant has been stalking you for all the years during which this action has been pendign and that the defendant has caused or procured the trashing of your car on an almost weekly basis if not more frequently than that." P 4, lines 26-28 of 6-27-97 transcript, [Judge Buckner: "I am going to order a mental competency examination under 2032 of the California Code of Civil Procedure, and I will make clear the basis..." P 16, lines 2-4 of 6-27-97 transcript, [Judge Buckner]: "The defendant will file and serve a section 2032 motion for an order requiring plaintiff's mental examination."
P 7, lines 6-9 of 6-27-97 transcript, [Judge Buckner]: The 24th of May 1995 it was necessary for the court to issue an order sanctioning you for failure to proceed with the default judgment you had previously instituted.

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A portion of Judge Buckner's 6-09-97 Order

Item 1..."this Court orders that any and all claims of perjury, forgery, fraud and false swearing asserted by plaintiff against (1) any defendant which is or has been a party to this action and (2) the alleged agent, servant, employee, director or officer of or counsel to any such defendant, be and the same are hereby severed from any and all other issues to be tried in the above entitled cause."

CTV11 002453, p 6, l 1-6 of Hernandez' Memorandum of Points and Authorities for Aug 28, 1997 hearing...."Plaintiff has accused Western Federal of Trashing her car. Plaintiff has accused Western Federal of Stalking her. Plaintiff refuses to believe that a notice of default recorded and served in 1992 can properly form the basis of a notice of sale recorded in 1995 l. 22, ...Defendant is filing this motion because the court ordered it to, but defendant objects to paying for a competency examination, which is literally going to cost thousands of dollars.

1st Amend. to the U.S. Const.: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Const. of CA ART.: I § 7(a) A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws;...

§ 16. Trial by jury is an inviolate right and shall be secured to all... We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienble Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

Art. XIV, § 1 U.S. Const.: All persons born or naturalized in the U.S. and subject to the jurisdiction thereof, are citizens of the U.S. and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the U.S.; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

U.S. Const., Art. 1. 28 USCA; Article III. § 2. Jurisdiction of U.S. Courts. The statute governing The U.S. Supreme Court's Review of a state court judgment states: "Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of

certiorari where the validity of a treaty or statute of the U.S. is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the U.S. or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the U.S."

Art. 3 § 2, An action to set aside a default entered in a foreclosure proceeding, and to have the decree entered therein vacated and declared void, is an equitable action within this section giving The Supreme Court jurisdiction in equity cases.

28 USCA § 454. Whenever Congress intended to prohibit practice of law by officers of the U.S., it has done so by specific enactment whether the enactment relates to judges of courts...

28 USC §1257(a) Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari ... the validity of a ... statute of the U.S. is drawn in question or where the validity of a statute of any state is drawn in question on the ground of its being repugnant to the Const., treaties, or laws of the U.S., or where any title, right, privilege, or immunity is specially set up or claimed under the Const. ... or statutes of, or any commission held or authority exercised under the U.S.

28 USC §2101(c) Any other appeal or any writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree. A justice of the Supreme Court, for good cause shown, may extend the time for applying for a writ of certiorari for a period not exceeding sixty days.

28 USC §2104 Reviews of State court decisions. A review by the Supreme Court of a judgment or decree of a State court shall be

conducted in the same manner and under the same regulations, and shall have the same effect, as if the judgment or decree reviewed had been rendered in a court of the U.S.

11 USCA § 362 Automatic Stay (a). Except as provided in subsection (b) of this section, ... operates as a stay, applicable to all entities of (1) the commencement or continuation, ...judicial, administrative or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title; (2) the enforcement, against the debtor or against property of the estate, of a judgment obtained before the commencement of the case... (3) any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate; (4) any act to create, perfect, or enforce any lien against property of the estate; (5) any act to create, perfect, or enforce any lien against property of the estate; (5) any act to create, perfect, or enforce against property of the debtor any lien to the extent that such lien secures a claim that arose before the commence ment of the case under this title against any claim against the debtor...(6) under subsection (a) of this section, of the setoff by a .... financial institution...any mutual debt and claim under or in connection with commodity contracts, or securities contracts... that constitute the setoff of a claim against the debtor for a margin payment... (7) under subsection (a) of this section, of the setoff by a repo participant, of any mutual debt and claim under or in connection with repurchase agreements that constitutes the setoff of a claim against the debtor for a margin payment...

Chapter 14 of Title 12 of the U.S. Code, as revised Nov 1989 §1751 Title I - General Provisions §1752, §101...(1) the term "Federal Credit Union" means a cooperative association

170.3 Judge notification of recusal; disqualification proceedings (c)(1) If a judge who should disqualify himself or herself refuse

or fails to do so, any party may file with the clerk a written verified statement objecting to the hearing or trial before the judge and setting forth the facts constituting the grounds for disqualificaiton of the judge. The statement should be presented at the earliest practicable opportunity after discovery of the facts constituting grounds for disqualification...

CCP §170.6 Prejudice against party, attorney or interest thereof; motion and affidavit; assignment of another judge, court commissioner or referee; number of motions; continuance; cumulative remedy; severability

CCP §170.6(1) No judge, ... of any superior ... *** court of the State of California shall try any civil or criminal action or special proceeding of any kind or character nor hear any matter therein that involves a contested issue of law or fact when it shall be established as hereinafter provided that the judge ... is prejudiced against any party or attorney or the interest of any party or attorney appearing in the action or proceeding.

CCP §170.6(2) Any party to or any attorney appearing in any such action or proceeding may establish this prejudice by ... written motion without notice supported by affidavit or declaration under penalty of perjury...that the judge...before whom the action or proceeding is pending or to whom it is assigned is prejudiced against any such party or attorney or the interest of the party or attorney so that the party or attorney cannot or believes that he or she cannot have a fair and impartial trial or hearing before the judge...

CCP § 904.1(8) From an interlocutory judgment, order, or decree, hereafter made or entered in an action to redeeem real or personal property from a mortgage thereof, or a lien thereon, determining the right to redeem and directing an accounting.

CCP § 1005(b) The time for filing and serving a notice of demurrer is 15 days and an additional 5 days for mailing, a total

of 20 days in **LASC**.

PC §115. Procuring or offering false or forged instrument for record; violations; punishment (a) Every person who knowingly procures or offers any false or forged instrument to be **filed**, **registered**, or **recorded** in any public office within this state, which instrument, if genuine, might be filed, registered, or recorded under any law of this state or of the U.S., is guilty of a felony.
(b) Each instrument which is procured or offered to be filed, registered, or recorded in violation of subdivision (a) shall constitute a separate violation of this section.
(c) Except in unusual cases where the interests of justice would best be served if probation is granted, probation shall not be granted to, nor shall the execution or imposition of sentence be suspended for, any of the following persons:
(1) Any person with a prior conviction under this section who is again convicted of a violation of this section in a separate proceeding.
(2) Any person who is convicted of more than one violation of this section in a single proceeding, with intent to defraud another, and where the violations resulted in a cumulative financial loss exceeding one hundred thousand dollars ($100,000).
(d) For purposes of prosecution under this section, each act of procurement or of offering a false or forged instrument to be filed, registered, or recorded shall be considered a separately punishable offense.

PC §118. Perjury defined; evidence necessary to supporrt conviction (1) Every person who, having taken an oath that he or she will testify, declare, depose, or certify truly before any competent tribunal, officer, or person, in any of the cases in which *** the oath may by law of the State of California be administered, willfully and contrary to the oath, states as true any material matter which he or she knows to be false, and every person who testifies, declares, deposes, or certifies under penalty of perjury in any of the cases in which the testimony, declarations, depositions, or certification is permitted by law of the State of California under penalty of perjuy and willfully states as true any

material matter which he or she knows to be false, is guilty of perjury.

PC §132 Offering forged, altered, or antedated book, document, or record. Offering False Evidence. Every person who upon any trial, proceeding, inquiry, or investigation whatever, authorized or permitted by law, offers in evidence, as genuine or true, any book, paper, document, record, or other instrument in writing, knowing the same to have been forged or fraudulently altered or antedated, is guilty of felony.

PC §134 Falsifying Documents to Be Used in Evidence. Every person guilty of preparing any false or antedated book, paper, record, instrument in writing, or other matter with intent to produce it, or allow it to be produced for any fraudulent or deceitful purpose, as genuine or true, upon any trial, proceeding, or inquiry whatever, authorized by law, is guilty of felony.

Finding of fraud on the court is justified only by most egregious misconduct directed to the court itself such as bribery of a judge or jury to fabrication of evidence by counsel and must be supported by clear, unequivocal and convincing evidence.

PC §182 Definition; punishment... (a) If two or more persons conspire: (3) Falsely to move or maintain any suit, action or proceeding. (4) To cheat and defraud any person of any property, by any means which are in themselves criminal, or to obtain money or property by false pretenses or by false promises with fraudulent intent not to perform such promises.
(5) To commit any act injurious ..., to public morals, or to pervert or **obstruct justice**, or the due administration of the laws. When they conspire to do an act described in *** paragraph (4), they shall be punishable by imprisonment in the state prison, or by imprisonment in the county jail for not more than one year, or by a fine not exceeding ten thousand dollars ($10,000.00), or both. When they conspire to do any of the other acts described in this section, they shall be punishable by imprisonment in the county

jail for not more than one year, or in the state priosn, or by a fine not exceeding ten thousand dollars ($10,000) or both.

PC §496 Concealment; Wrongful Withholding of Personal Property

PC §503 et. seq. Embezzlement - the fraudulent appropriation of property by person by whom it has been entrusted.

PC §519 Fear used to Extort; Threats inducing. Fear, such as will constitute extortion, may be induced by a threat, either 1. To do an unlawful injury to the person or property of the individual threatened or for another...

PC §523 Threatening lettes; Intent; punishment. Sending Threatening Letters with Intent to Extort Money, etc. Every person who, with intent to extort any money or other property from another, sends or delivers to any person any letter or other writing, whether subscribed or not, expressing or implying, or adapted to imply, any threat such as is specified in §519, is punishable in the same manner as if such money or property were actually obtained by means of such threat.

PC §524 Attempts; punishment. Every person who attempts, by means of any threat, such as is specified in §519 of this code, to extort money or other property from another is punishable by imprisonment in the county jail not longer than one year or in the sate prison or by fine not exceeding ten thousand dollars $10,000, or by both such fine and imprisonment.

PC §531 makes a person guilty of a misdemeanor who (1) is a party to a fraudulent conveyance of real or personal property, or (2) being a party, "wittingly and willingly" defends the conveyance as valid, or (3) transfers the property so conveyed.

PC §531a deals with person (1) who "with intent to defraud, knowingly executes or procures another to execute" a conveyance

the filing of any such instrument "knowing" that the other has no interest. This misdemeanor carries the punishment of a county jail sentence not exceeding 1 year, a fine of $5,000, or both.

PC §556.1. Placing a sign that advertise on private property. It is a misdemeanor for any person to place or maintain or cause to be placed or maintain upon any property in which he has no estate or right of possession any sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of advertising, or which advertises or brings to notice any person article of merchandise, business or profession, or anything that is to be or has been sold, bartered or given away, without the consent of the owner, lessee, or person in lawful possession of such property before such sign, picture, transparency, advertisement or mechanical device is placed upon the property.

Amend. IV, § 1 of U.S. Const. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated...,

Amend. XIV, § 1 of U.S. Const ...No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the U.S.; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Use of the Prestige of Judicial Office. A judge must avoid lending the prestige of judicial office for the advancement of the private interest of the judge or others.

Canon 3. A judge shall perform the duties of Judicial Office impartially and diligently. B(2) A judge shall be faithful to the law * regardless of partisan interests, public clamor, or fear of criticism, and shall maintain professional competence in the law.*

Prof Model Rule of Conduct 3.1, A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein,

unless there is basis for doing so that is not frivolous, which includes a good faith argument for an extension, modification, or reversal of existing law.

State Bar Formal Opinion 1972-30 Requesting or agreeing to a trial date when the attorney does not intend to commence trial on that date.

Rule 104. Threatening Criminal Prosecution. A member of the State Bar shall not threaten to present criminal, admin. or discip. charges to obtain an advantage in a civil action nor shall he present or partic.in presenting criminal, adminis. or disciplinary charges solely to obtain an advantage in a civil matter.

Rule 4-300. Purchasing Property at a Foreclosure or a Sale Subject to Judicial Review. (A) A member shall not directly or indirectly purchase property at a ..., foreclosure, receiver's, trustee's, or judicial sale in an action or proceeding in which ... any lawyer affiliated by reason of personal, business, or prof. relationship with ... that **member's law firm is acting as a lawyer** for a party or as executor, receiver, trustee, administrator...

Bus & Prof Code §6068(d). Moral turpitude and Deception. Deception of Court by Atty. An attorney has a duty to use only means that are consistent with the truth and never to mislead the judge by an artifice or false statement of fact or law.

Bus and Prof Code §6128(a). Misdemeanor. Atty's intentional deceit of parties to litigation.

Bus and Prof Code §17200. Unfair competition; prohibited activities as used in this chapter, unfair competition shall mean and include any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising and any act prohibited by Chapter 1 (commencing with Section 17500) of Part 3 of Division 7 of the Bus. and Prof. Code.

B&P C. §17910.5(a). No person shall adopt any fictitious business name which includes "Corporation", "Corp.", Incorporated," or "Inc." unless such person is a corporation organized pursuant to the laws of this state or some other jurisdiction.

PC §471. Making false entries in records or returns. Every person who, with intent to defraud another, makes forges, or alters any entry in any book of records, or any instrument purporting to be any record or return specified in the preceding section, is guilty of forgery.

18 USCS §154 (1988) officer of the court cannot purchase bankruptcy assets

18 USCS §1341 mail fraud

18 USCS §1343 wire fraud

18 USCS §1344 financial institution fraud.

Alliance Mortgage Co. v. Rothwell 10 Cal.4th 1226; 44 Cal.Rptr.2d 352; 900 P.2d 601 (Aug 1995) Fraud and Deceit § 34-Actions-Damages - Exemplary or Punitive Damages-Costs and fees. Punitive damages are recoverable in fraud actions involving intentional, but not negligent, misrepresentations. The jury also has discretion to award prejudgment interest on the plaintiff's loss from the time the plaintiff parted with the money or property on the basis of the defendant's fraud. A plaintiff is not entitled, however, to atty fees as an element of damages in an action for fraud in which the defendant is a fiduciary.

Buchanan v. Warley, 245 U.S. 60, 38 S. Ct. 16, 62 (U.S. L.Ed) 149, Ann. Cas. 1918A. The Act of Congress of April 9, 1860, providing that all "citizens of the United States" shall have the same right in every state and territory as is enjoyed by white citizens thereof to "purchase" real and personal property.

Burlingame v. Justice's Court 1 Cal.2d 71; 33 P.2d 669 (1934) abuse of discretion

Catchpole v. Brannon 36 C.A. 4th 237 (3) **Judges §14-Disqualification-Grounds-Bias or Prejudice-Objective Standard**. CCP § 170.1, subd. (a)(6)(C) (judge disqualified if person aware of facts might reasonably entertain doubt that judge would be able to be impartial) makes the disqualification standard fundamentally an objective one. The statute represents a legislative judgment that, due to the sensitivity of the question and inherent difficulties of proof as well as the importance of public confidence in the judicial system, the issue is not limited to the existence of an actual bias. Rather, if a reasonable man or woman would entertain doubts concerning the judge's impartiality, **disqualification is mandated**. To ensure that the proceedings appear to the public to be impartial and hence worthy of their confidence, the situation must be viewed through the eyes of the objective person. The reason for the objective standard of proof is the difficulty in showing that a judge is biased unless the judge so admits. In addition, public perceptions of justice are not furthered when a judge who is reasonably thought to be biased in a matter hears the case. [page 239]
(4) **Appellate Review §176-Determination and Disposition of Cause-Harmless and Reversible Error-Particular Errors and Irregularities-Conduct of Court-Bias or Prejudice-Applicability of Objective Standard.**-The reasons justifying an objective standard for the disqualification of a judge are as applicable to the situation presented in a case where reversal is sought on the ground of bias as they are to the issue of disqualification. This is shown by the fact that the same objective test is employed to determine whether a judge has avoided impropriety and the appearance thereof, as mandated by Cal. Code Jud. Conduct, Canon 2. The test for the appearance of impropriety is whether a person aware of the facts might reasonably entertain a doubt that the judge would be able to act with integrity, impartiality, and competence.

In Re Celotex, 514 U.S. 300(1995) at 314. The filing of Celotex's bankruptcy petition on October 12, 1990, triggered the automatic stay provisions of the Bankruptcy Code." 9. "....all entities from commencing or continuing any judicial administrative or other proceeding involkving any of the Debtors."

Los Angeles, Respondent, v. Los angeles Farming and Milling Co. 150 Cal. March 1907. Judgment by Default - Evidence Not Required. In such an action a judgment by default against the named defendant, who had been personally served with summons, is not void for the failure of the record to show that the court heard or required evidence in proof of the plaintiff's case. No such proof was required, as the default of the defendant in an ordinary action of this character admits, so far as such defaulting defendant is concerned, the absolute verity of all the allegations of the complaint.

County of Los Angeles v. Warmoth, 72 Cal.Rptr.2d 902. Extrinsic Fraud or Mistake, sufficient to permit court to exercise its equitable power to set aside judgment is broadly interpreted to cover almost any circumstance by which party is deprived of fair hearing; there need not be "fraud" in tort sense, and "extrinsic mistake" refers generally to circumstances extrinsic to litigation that have cost party hearing on merits.

Ellis v. Consolidated Diesel Electric Corp., 894 F.2d 371, 372-373 (CA 10 1990)(District Court's **entry of summary judgment** violated § 362(a)'s automatic stay).

Ex Parte Felthoven (1946) 171 p.2d 47, 75 C.A.2d 465. In order to punish for constructive contempt of court, it must appear that order on which contempt proceeding is based has been served on accused, or that he was present when order was made, or that he had knowledge of it.

Flood vs. Templeton 152 C. 148, 156, allows a new cause of action based upon fraud.

Gilbert v Superior Court (1985) 169 Cal App 3d 148, 2125 Cal Rptr 305. An order made in the absence of jurisdiction is a void order and may be set aside at any time.

Huddleston v. Texas Commerce Bank-Dallas, N.A., 756 S.W.2d 343 Tex Ct.App.(1988). Dismissal of property transferee's bankruptcy petition did not reinstate foreclosure sale that was held in violation of stay, such that amount of borrower's debt to lender secured by deed of trust to real property should have been credited with amounts received at foreclosure sale and that lender's demand for payment which failed to credit amounts received at the foreclosure sale constituted charging of interest in violation of usury statutes; when bankruptcy case was dismissed by bankruptcy court, that court took no action to annul or otherwise recognize invalidity of stay, so sale that occurred after transferee filed for bankruptcy was void and of no legal effect.);

Maritime Electric Co., 959 F.2d 1194, 1206 CA3 1991). "§362's stay is mandatory and `applicable to all entities', including state and federal courts")

Nelson, 6 Bankr. at 251, Funds wrongfully set off by bank restored to debtor. Where creditor fails to restore status quo following violation of automatic stay, creditor retains improved position over other creditors and such retention of benefits is itself continuing violation of stay and is grounds for contempt if done knowingly. Bankr.Code 11 U.S.C.A. § 362.-Id.

Ng v. Superior Court 52 Cal. App. 4th 1010, 1023-1024, 61 Cal. Rptr. 2d 49(1997) Derogatory and apparently unfounded statements concerning counsel, coupled with evidence presented in support of earlier petitions for extraordinary writs (each of which sought orders from the court of appeal to disqualify the trial judge, after judge appointed under C.C.P. § 170.3(c)(5) had denied motion to disqualify), and the court's unusual and inappropriate desire to keep case, lead to conclusion that interests of justice required that further proceedings be heard

before trial judge other than presently assigned judge.

Onofrio v. Rice 55 Cal.App.4th 413, 64 Cal.Rptr.2d 74 (May 1997) A homeowner who lost her house in a foreclosure sale brought an action against defendants, who purchased the house in the sale, alleging violations of their duties as a real estate broker (Bus. & Prof. Code, 10131 et seq.) and foreclosure consultant (C.C. §2945 et seq). The trial court found in favor of plaintiff with respect to causes of action based on the first defendant's violations of his duties as a real estate broker and foreclosure consultant; and found favor of plaintiff as to a cause of action alleging violations of C. C. §2924 et seq. by the second defendant. The trial court entered judgment against defendants, awarding damages, atty fees, costs, rescinded the foreclosure and voided defendants' note and purchase of a second deed of trust.

People v. Bell 45 Cal.App.4th 1030; 53 Cal.Rptr.2d 156 [May 1996] at 1033. Note 8 Denial of equal protection. The state adopts a classification that affects similarly situated groups or individuals in an unequal manner.

People v. Superior Court for Los Angeles County (1965) 48 Cal.Rptr.445, 239 C.A.2d 99. The law does not require that a party subject to an order of court must be personally served with a copy of that order before he may be held in contempt of it; all that the law requires is that he has knowledge of it.

Pope v. Manville Forest Products Corp.,778 F.2d 238, 239(CA5 1985) ("just the entry of an order of dismissal, even if entered sua sponte, constitutes a judicial act toward the disposition of the case and hence may be construed as a `**continuation**' of a judicial proceeding")

Retes V. Superior Court, Santa Clara County, 176 Cal.Rptr 160, 122 C.A.3d 799. Cal.App. 1981. When party properly makes a motion to disqualify the judge and the judge against whom it is

directed fails to disqualify himself from hearing the matter before him, his action thereon and his **subsequent orders and judgment are null and void**. West's Ann CCP§170.6

Richard v. City of Chicago, 80 B.R. 451, 454 (N.D.Ill 1987) Dismissal of the case does not validate an act that was void for having violated the stay.

Rylee v. McMorrough, Tex. Civ. App., 616S.W.2d 649, 652. In order to vacate judgment, an appellant must show "extrinsic fraud" which is fraud in the means whereby the judgment was procured, and not fraud in the cause of action or matter put in issue and presented for adjudication; by that is meant fraud by the other party which has prevented losing party either from knowing about his rights or defenses or from having a fair opportunity of present them upon trial.

Solberg v. Sup. Court of the City and County of San Francisco, et al. 19 Cal.3d 182, 561 P.2d 1148. Procedure allowing for disqualification of trial judges on motion supported by affidavit of prejudice is reasonable not because affidavit establishes prejudice as fact, but because it expresses belief of litigant that [s]he cannot have fair trial before assigned judge; actual prejudice is not prerequisite to invoking statute since statute explicitly recognizes belief of litigant that he cannot have fair trial as sufficient ground for disqualification. C.C.P.§ 170.6, § 170.6(1, 2)

In re Stephens 77C 357, 19 P 646 (1888). It is sufficient cause for disbarment for attorney to encourage commencement of proceedings he knows, or has reason to know, are illegal or unjust.

In Re Tome 113 B.R. 626 (Bkrtcy.C.D.Cal 1990) at 626 and 627. **2. Bankruptcy 2442**. Secured creditor may not foreclose on property of estate, after obtaining relief from automatic stay, without giving further notice beyond minimum required by California law:secured creditor must at least **republish its** notice of sale and give notice to owner before conducting nonjudicial

foreclosure sale of property of estate. West's Ann CCC §2924 et seq. **3. Mortgages 369(4)** Foreclosure sale under deed of trust would be set aside for lack of adequate notice to Ch. 13 debtors; parties who purchased deed of trust did not record or mail to debtors **amended notice of purchase.** CCC §2924c(b)(1). **4. Mortgages 335**. Party that purchases security interest in property as to which notice of default has been recorded is required, under CA law, to record and mail to trust deed grantor **amended notice of default. 5. Foreclosure sale must be set aside where lender or its agent has provided false or misleading information concerning payoff of note secured by deed of trust after having sold deed of trust without giving mail notice to debtor**.

T.P.B., Jr. v. Superior Court for Alameda County, 136 Cal. Rptr. 311 (1977) Situation presented when a legal necessity existed for mistrial in delinquency proceeding because juvenile judge was disqualified as a matter of law from continuing to sit and act in case did not involve a mere error of law or procedure, but involved the very jurisdiction of the juvenile judge to proceed with the action, and, hence, was akin to the legal necessity deemed a physical cause beyond the control of the court brought about by the illness or absence of the judge.

Twining v. New Jersey (1908) 211 U.S. 78, 29 S.Ct. Due Process requires Notice and Opportunity for Hearing.

Zunich, 88 B.R. 721, 723-24 (Bankr. W.D.Pa.1988) Chapter 7 debtors had standing to bring action against creditor for violation of stay by retaining garnished funds. The ineffectiveness of acts or occurrences violating the stay is not a temporary condition but is permanent. They are legally empty-not just suppressed or dormant - and thus **remain void and ineffective even after the stay and the bankruptcy end.**

Memorandum ... In Support of Opposition to Notice ... and Motion for (terminating) Sanctions against Plaintiff for Violation of Court Order Re. Mental Examination and Abuse of Discovery Process...Request Permission to Cite the Misrepresentations in which Most ...orders exhibited in defendants' Request for judicial Notice were obtained... Oct 14, 1997, 9:00 a.m, Dept. 14, CVT11 002471, the motion begins on CTV11 002469

4. "A showing of **good cause** must be made by the party seeking the examination (C.C.P. 2032(d); see, e.g., Vinson v. Superior Court (1987). 43 Cal.3d 833, 840-844, 239 Cal.Rptr. 292, 740 P.2d 404. Usually, specific facts will have to be shown, such as the moving party's inability to obtain the information by other means [see Seglagenhauf v. Holder (1964) 379 U.S. 104, 118, 85 S.Ct/. 234. 13 L.Ed. 2d 152 (interpretation of Fed. R. Civ. P., S. Ct/.234.13 : /Ed. 2d 152 (interpretation of Fed. R. Civ. P., Rule 35, on which Code Civ. Proc. § 2032 was originally based)]. Defendants have not shown a good cause why plaintiff should be further damaged, punished and possibly denied a teaching contract by taking such an examination. Defendants have never had any claim to plaintiff's personal property.

5. **Constitution of California Section** 7. A Person May not be Deprived of Life, Liberty, or Property without Due Process...the 14th Amendment to the United States Constitution... **all courts,... shall give such actions or proceedings first precedence over all other civil actions therein.**

6. [Unreasonable Seizure and Search - Warrant] Section 13.

8. **Improper Sanction Motion is Sanctionable**...C.C.P. 128.7(h).

9. Conclusion: Defendants' attorneys have exhibited over 40 exhibits, but they **DID NOT EXHIBIT** a copy of the transcript where I allegedly said defendants were trashing my car, **because I never said it.** The basis for defendants' motion to compel a mental competency exam was that I had stated in the record that defendants were trashing my car. Plaintiff's pursuit for the return of her real, and personal property she and her family worked hard to obtain, does not make her mentally incompetent, therefore, Defendants motion should be denied for we all know that I am without a doubt, mentally competent. Oct 7, 1997 Audrianne Norwood

Notice ... and Motion of Intention to Set Aside Judgment and Enter a New and Different Judgment (re. Oct.14, 1997 hearing re. dismissing BC106025) ... [C.C.P. §§ 416.10(b), 446, 663, 1008(a)(e),209,2017(c), 2032(c)(d)(1)(2)(f),C.C. § 3517. United States Constitution Under the Ninth and Fourteenth Amendment of the U.S. Constitution, Article I, § 1; 28 U.S.C. § 454. and FRCivP.35(b) Dec. 3, 1997, 9:00 a.m., Dept 14. CTV12 002564 CTV12 002564 1. This court has not previously considered whether the court lacked subject matter jurisdiction, because defendant WFCU failed to verify the answer to the Second Amended Complaint.

2. Nor has this court, had the opportunity to reconsider the defaults and default judgments against defendants WFCU and FIRST...

3. This court exceeded the court's jurisdiction in finding good cause and or extra ordinary circumstances in ordering Plaintiff's participation in a mental examination. This court done [did] so by infringing upon Plaintiff's statutory, California constitutional and United States Constitutional rights. These rights are guaranteed rights of privacy and due process of law. Also, this court erred in applying the legislative intent to the statutory provisions governing mental examinations.

CTV12 002577, 3rd paragraph. In all due respect, this court never considered prior to ordering the Plaintiff to undergo a mental competency test and or after granting the defendants' motion for terminating sanctions the merits of this case have never been in question. Therefore, this court's cart before the horse disposition by the pot calling the kettle black fails to apprehend "the proof is in the pudding."

CTV12 002580, 2d paragraph. See Griswold v Connecticut 381 U.S. 479 (1965) Plaintiff cannot agree that the mere initiation of this fraud and conversion action, even with extreme mental and emotional damages, (can be reduced to an inquiry dissolving all of Plaintiff's privacy and due process rights). Plaintiff claims to have suffered extreme mental and emotional damages don't operate to waive all of her privacy interest, exposing her persona to unfettered mental probing of defendants' experts...

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
DATE: 12/03/99 DEPT. 14
HON. ALAN G. BUCKNER JUDGE J. LORENZ DEPUTY CLERK
HONORABLE JUDGE PRO TEM
P. CORTEZ, CRT.ASST. ELECTRONIC RECORDING MONITOR
G. RODRIQUEZ, CSL Deputy Sheriff O. NAVARRO REPORTER
==========
9:01 AM BC106025 Counsel AUDRIANNE NORWOOD (x)

AUDRIANNE NORWOOD
VS
FIRST INDEPENDENT
TRUST DEED SERVICE Counsel JESSE S. HERNANDEZ (x)
r/t BC172608
C/W BC143489
==========

NATURE OF PROCEEDINGS:

MOTION FOR RECONSIDERATION;

MOTION TO SET ASIDE JUDGMENT;

Cause called for hearing.

The Court, having read and considered the moving and opposing documents, denies the Plaintiff's Motions for Reconsideration and To Set Aside Judgment.

Defendant's request for sanctions is denied.

Counsel for Defendant to prepare, serve and file a Notice of Ruling.

Page 1 of 1 Dept. 14 MINUTES ENTERED
12/03/97
COUNTY CLERK

[CTV 12 002695]